

UNIVERSITY OF CALIFORNIA**ACADEMIC SENATE**
UNIVERSITY COMMITTEE ON LIBRARY AND SCHOLARLY COMMUNICATION
MINUTES OF MEETING
FRIDAY, MAY 27, 2011

Attending: Richard Schneider, Chair (UCSF), Christopher Kelty (UCLA) (telephone), Laurence Armi (UCSD), Laurie Monahan (UCSB) (telephone), Brian Kolner (UCD), Lee Ann Baxter-Lowe (UCSF), Stuart Linn (UCB), Sholeh Quinn (UCM), Chikako Takeshita (UCR), Garret Liles (Graduate Student Representative), Laine Farley (Executive Director, California Digital Library), Ivy Anderson (Director, Collections, California Digital Library), Michael Yonezawa (LAUC President) (telephone), Dan Clancy (Former Engineering Director, Google Books), James Crawford (Engineering Director, Google Books), Dan Simmons (Academic Senate Chair), Bob Anderson (Academic Senate Vice Chair), Brenda Abrams (Policy Analyst)

I. Announcements

The Chair commented on the items on today's agenda. There will be a discussion about the Library Planning Task Force, which Chair Schneider and the CDL Executive Director Farley served upon. The committee will hear about journal negotiations and two representatives from Google will join the meeting.

II. Consent Calendar

Action: The minutes were approved.

III. Report of the Library Planning Task Force

The Library Planning Task Force attempted to identify areas where there could be budget savings. The library system will have to take \$52 million in cuts over the next half decade. When inflation related to access to online digital materials and other library related materials, the result will be a decrease of \$17 million in buying power. The report is a series of recommendations around four broad strategies. The strategies are to expand and collectively manage shared library services, supporting faculty efforts to change the system of scholarly communication, explore new sources of revenue, and to improve the existing framework for planning and decision making. The implementation will occur in three phases. A public relations strategy for pitching this plan to faculty is included.

There is support for the ideas in the report but UCOLASC has the opportunity to propose other ideas and appeal for more investments that will pay off in the short term. The committee's comments are due July 18th.

Discussion: Executive Director Farley indicated that some work on shared services has already begun but can be changed if necessary. LAUC President Yonezawa indicated that the report has incorporated feedback from the Association. The \$52 million figure is based on the possible \$500 million budget cut to UC as well as things that can be predicted with a relative degree of certainty such as inflation on materials that will be purchased and retirement contributions from staff. It is not clear if the library represents 10% of UC's budget. At all campuses members of the

general public can access materials because UC is a public university but some journals are not accessible at libraries unless a librarian providing access. It would be difficult to begin charging the public for library services.

A member commented that there is no mention of shared governance, seeking the formal input of faculty, or UCOLASC in the executive summary. The committee's open access initiative is not mentioned in the report. The report suggests that faculty should retain and manage their copyright even though an effort to promote this failed several years ago. The issue of copyright, while important, should not be the first recommendation as this could put people off. There is an objection to the recommendation that faculty should refuse to publish in certain journals. Faculty do not like to be told what to do but other language could explain to faculty why it would be in their best interests to avoid supporting certain commercial publishers. Also, faculty feel that they need to provide input on the issue of de-duplication and help evaluate the necessity of having copies of books at multiple libraries.

Faculty involvement in developing the report may have been minimized because the librarians rightfully feel they can handle these issues on their own. Although Chair Schneider served on the task force, he did agree that faculty concerns were not fully represented. The Chair believes that infrastructure should be available to help faculty manage copyrights. The important issue related to copyright is that it is not given to the journals. A member commented that there is no explicit mention of what the libraries are expected to do. Members should ask other faculty what the minimal levels of services and activities are expected from the libraries. Mechanisms for faculty to provide input in a structured way over the course of implementation and for UCOLASC to be involved in decision making need to be in place. SLASIAC includes faculty representatives. The committee's letter will include specific examples of where faculty consultation is critical. Faculty could provide feedback as decisions are being made about determining the value of different journals including feedback about the measures used to make these decisions.

A member questioned whether there was an analysis of the cost of having multiple copies of a book at a library versus paying for interlibrary loan multiple times. UC will pay more for interlibrary loan with non-UC libraries. According to Executive Director Farley, books will be treated in different ways in terms of de-duplication and that this issue was not discussed extensively by the Task Force. Efforts to increase the buying power of the libraries that allow UC to purchase a broader range of titles are underway which may reduce the need to borrow from non-UC libraries. Money is set aside for on-demand purchases by faculty. It may be more efficient to purchase materials when they are needed instead of just in case it will be needed.

The cost of getting a print book if ordered from an online vendor needs to be considered and compared with the cost of the delay caused by the process for cataloging a book at a library. Faculty should provide input into the models for acquisition. Trade-offs that faculty are willing to accept need to be explained by faculty to librarians. Book publication is increasing and UC's ability to purchase is declining. Libraries try to meet faculty demand but many materials are not used much. Campus committees should also submit letters in response to the Task Force report. There may be a perception that faculty do not care about issues related to the libraries and this needs to be changed. Simple revisions of the report can increase faculty buy-in to the recommendations. Faculty could participate in negotiations with publishers. Chair Schneider will

participate in a SLASIAC conference call next Thursday and will report on UCOLASC's concerns.

Action: The analyst will draft a memo outlining the committee's comments on the report.

IV. Nature Publishing Group Negotiations

- *Ivy Anderson, Director, Collections, California Digital Library*

The negotiations have been going on for some time now, but there has recently been a lull in the discussions with Nature. Chair Schneider emphasized that this discussion is very confidential. It was hoped that a final agreement would be in place by today. The Nature representatives have to present the proposal to their conservative management. NPG continues to agree to a month-to-month licensing agreement which has not been increased. The negotiations have forced NPG to look at their current business model and where they want to be in the future. The negotiations are not at a point where UC can make any announcements. It is possible that following internal discussions with senior management, NPG could propose something completely different from what has been discussed.

In terms of the broader landscape, other publishers are looking at their business models and experimenting with new approaches to achieve greater access. Sage Open and a Springer branded set of open access journals have been introduced and these are primarily author funded.

Discussion: NPG has been told that UC is talking to other publishers and this is being brought to the attention of their management. The question for NPG is whether they want to be the leader in making transformative changes to commercial publishing. Even if NPG decides to not restrict the experiment to UC, the university will still get some credit for forcing the issues. Vice Chair Anderson suggested that UCOLASC could submit an article to the Senate Source about the Nature experiment. The committee has been dealing with issues such as open access for a long time and UCOP seems to be unaware of this as reflected in top down initiatives. Campus committees could also write letters about supporting the changes in scholarly communications.

UCOLASC has been frustrated by the lack of recognition of its role by the administration and it was suggested that the committee could articulate what increased involvement would look like. One challenge is that UCOLASC meets infrequently. There could be a stronger relationship with a systemwide library scholarly communications committee, which is a group that feels like it is not visible to UCOLASC. A more formalized mechanism to engage UCOLASC in decision making processes needs to be in place. The University Librarians are being asked about the status of negotiations and members should reassure their colleagues that progress has been made and UC is still working on the issues with NPG.

As a result of these negotiations with NPG, UC has gained confidence that it can challenge big publishers. The financial implications of restructuring fees must be considered. Investments should be made that will result in savings in the long term. Publishers that are negatively impacting sustainability should not be invested in by UC and the money that is not invested in them should be reinvested elsewhere.

The CDL has been telling publishers for two years that there will be significant cuts. Some publishers will work with UC including Wiley although this may be at a cost to other customers. In general CDL has been able to keep the inflationary increases at a minimum. Publishers do not force UC to purchase bundled journals. The CDL is refining the algorithms used to determine the value of journals. There is a conflict of interest when a faculty member asks for a journal to be retained because he or she is editor. The way that CDL has successfully kept costs down will not work in the future so new strategies will be needed. The cost per .pdf download should be made available to faculty. Members discussed how they access articles and whether they download and print, save digital copies, or repeatedly download the same article. An important metric is how much faculty are willing to pay for journals. A member commented that the number of journals should be reduced because there are too many.

V. Update on Journal Negotiations

- *Ivy Anderson, Director, Collections, California Digital Library*

In fiscal year 2011, CDL had \$39 million in systemwide expenditures and 87% was from the campuses and 13% was from CDL. Sixty-seven percent went to journals and 28% went to other kinds of content. The increase in the percentage to journals was related to publisher acquisitions and more content coming to UC. CDL has been working on reducing expenditures in the last several years and worked closely with publishers to do this. Zero percent increases were negotiated with many publishers while in the past typically there were increases in the range of 7%. These contracts included Sage and Wiley. CDL was asked to reduce expenditures by 15%. CDL had \$13 million in expenditures last year which includes a 15% reduction with Wiley. After a 30 day trial of SCOPUS this database was not purchased because it did not provide value in terms of its underlying content. This database would have cost UC approximately \$1 million. Elsevier is developing a number of expensive search tools that use SCOPUS.

This year there were negotiations with Springer. The open access pilot with this publisher was well received. Springer is the third most expensive contract and on a cost per article download basis they are high. Springer was not willing to let UC cancel any journals, stating that the value of the deal is in the bundle. Data from purchase history is used to determine what will be used as a basis for what CDL proposes to pay. A small core of journals is heavily used and a larger group had medium usage. Libraries did not want to eliminate the low usage journals which would have resulted in about a 10% decrease in cost. CDL looks at how much a journal is cited by UC faculty and cost effectiveness which includes cost per use and per impact factor among other metrics. A list of journals is developed based on campus bibliographers and the metrics. The agreement with Springer was scaled back and open access was taken off the table. Springer was sold before the most recent negotiation and they are operating in a new management environment. The company is now owned by two different private equity investors. Three hundred sixty seven journals were canceled but UC will have access to some journals in the next year, but access will be lost to others. Springer is the first publisher to push open access on a large scale and now they have 70 journals under the Springer Open imprint.

An online survey of Springer authors and editors was conducted over the last eight months. Of the 2000 authors surveyed, 330 people responded. Seventy five percent of responses were from faculty and 50% were full professors. Davis had the highest response rate. The respondents were

predominantly open access proponents. Forty two percent had published in other open access journals, and 71% felt research funders should pay to publish, 28% felt the federal government should pay and 22% felt that authors should pay.

Discussion: A member remarked that the interface of SCOPUS was user friendly. SCOPUS does not provide much more content than ISI. Pay per view is typically \$30 and a small number of Springer journals are above this cost. The publishers tell CDL how many hits were on an article. The negotiations with Nature have hurt UC in other negotiations. The openness about the NPG negotiations created a backlash in the perspective of Director Anderson. There need to be more discussions with large publishers about where UC wants to go with open access. Many faculty responding to the survey indicated they would not allocate \$3000 from their grants to the Springer open access fee. This cost could be built into grants upfront.

VI. Google Digital Books Project

- *Dan Clancy, Former Engineering Director, Google Books*
- *Jimi Crawford, Engineering Director, Google Books*

Chair Schneider explained the role of the committee to Mr. Clancy and Mr. Crawford and described UCOLASC's interest in the Google Book Search project. The committee would like to inform Google about what is important to faculty. Mr. Clancy has left Google and Mr. Crawford is the current Engineering Director at Google. Lack of engagement with the Academic Senate and others at UC hurt the project and settlement agreement. Google felt that the agreement was a compromise that balanced the different interests, and that UC and Google have similar values. Having more conversations with faculty earlier would have been beneficial. According to Mr. Clancy, the settlement was rejected primarily because it had forward going permissions. Scanned books in the public domain can be fully accessed and if publishers gives Google the books, only 20% can be accessed. Most of the books scanned were from academic authors. Faculty with out of print books may not necessarily know if they have rights to them. Google is still talking with the plaintiffs about whether there is another type of settlement. On the questions of pricing and monopoly, for the vast majority of academic books most of the authors would be willing to give their books away. University presses could be encouraged to support academic authors to distribute their books for free.

Discussion: Chair Schneider remarked that there were internal issues within UC related to the lack of consultation with the Senate. One major hurdle was figuring out what the content Google provides would look like. Faculty would like to maintain a boundary between the content and commercialization. UCOLASC was also concerned about privacy issues and the lack of information from Google about their plans for this was a problem. Google was not able to figure out a way to allow other companies to scan the books and was advised by the DOJ that this was not possible under class action law. Mr. Clancy thinks that if the settlement had been approved there would immediately have been legislation that prevented Google from holding a monopoly.

Subscriptions would have been handled the same way, which would prevent Google from having information about users. There are gray areas with respect to privacy when it comes to storing content on the cloud. Unlike libraries, if a court told Google to turn over information a user has accessed the company would have to comply. Libraries have taken steps to protect students'

privacy. Mr. Clancy stated that Google had no intention of having advertisements and that this would have been bad business. If ads were run, this would have been in order to charge a university less for the subscription. Google used the subscription model grudgingly. In the settlement Google explicitly stated that academic authors could offer their books for free. The consumer price was separated from the institutional subscription.

In Google Search and Google Scholar there is no directed research and the company is religious about not having a bias. The company does try to have links to authoritative sources and sponsored links have nothing to do with the organic ranking. Books that are in the limited snippet view are ranked lower because Google's consumer surveys find that people do not like them. OCR is run on all of the books and correction is done through recapture which improves OCR errors. Mathematical expressions do not work well with OCR. The settlement agreement would have allowed institutions to have access to all of the books Google scanned. Forward migration to new technology is not a difficult issue to resolve since digital formats will overlap and translations can be written. This will be an issue with files created by specialized software.

Whether anything is happening with the settlement has to be determined and then the question of how to involve academics will need to be addressed. Google is willing to unlock the scanned books and giving them to users. There should be an initiative from academics promoting giving the books away. Most authors of out of print books can write the publishers to request that the rights are reverted to them. A statute will be implemented in 2013 that addresses reverting copyright. Google may not have understood the value of the digitization project when it began. The money Google is spending on the project far outstrips the benefit to the company. Google has scanned 15 million books and there is no goal for how many will ultimately be scanned. The company has a new CEO and it is still unclear if this will have an impact on the Book project. After the Google representatives left the meeting, UCOLASC debriefed on the discussion. A member suggested that Google should be invited to a committee meeting next year and have ongoing discussions with the company.

VII. Open Access

This item was discussed below.

Discussion:

VIII. Goals for 2011-2012

The committee should suggest goals for next year. One is to have more discussions with Google. The new director of the UC Press should be invited to a meeting to share the vision for it and discuss how it will work with the CDL. There is no systemwide approach for modifying copyright agreements. CDL could help implement this by keeping a catalog of authors and publishers who have modified copyright agreements.

Discussion: In the past, the CDL had an office that could have assisted with modifying copyrights and maintaining a list of authors and publishers that have done this. The last effort to address copyright proposed that rights be transferred to the Regents which the faculty did not

want. The publishers' contracts could ask if the author is from UC and if the answer is yes, the copyright would automatically not be transferred. There should be a discussion about professional societies about how faculty are contributing to the disfunction. A possibility could be that professional societies could be available in open access after a year or two. A concerted effort could be made to move textbooks back into UC which would be published by eScholarship. The Task Force report has strategies related to open access and UCOLASC can help identify other strategies. An issue is how long a thesis remains blocked before it is released and the same policy should be used across the campuses. The reason to not release a thesis immediately is that the student may plan to write a book or paper. The policy issue is delaying CDL's distribution of theses. CCGA and UCEP may have authority over theses. Discussions with the undergraduate deans have failed to resolve the policy issue. The loss of experience due to retirement or for other reasons could be discussed. These individuals may not be replaced.

IX. Member Reports and Campus Items

San Francisco: One of the chancellor's priorities is to transform one of the main library which reflects a change in how libraries are seen to serve the campus. There was a \$15 million renovation of a fifteen thousand square feet of library space. The library helps to serve faculty who have offices at other campuses. A reading room with extended hours provides students with a study space. A small library at one campus was closed and more library space is being sought. The committee is interested in the copyright agreement issue. A portal is being created so that faculty can report positive and negative experiences when they use the libraries. Google will start scanning books at this campus.

San Diego: The library system has to absorb at least a \$3 million cut which means closing libraries. One of the medical libraries has closed. The science and engineering library and Scripps oceanography library will be closed. The proposal is to eventually have one library that serves all sciences. Historical archives will stay at Scripps and all historical archives from other libraries will be moved there. The spaces are underutilized currently and the libraries will have to change their functions.

Davis: The campus now has a university librarian who is an emeritus faculty member. The UL is proposing to convert the first floor of one library into a learning center. A task force studying whether shutting down the physical sciences and engineering library will save the campus money has not made a formal report yet. The libraries are also dealing with budget cuts. Three hundred journals in the agro ? Were canceled.

Riverside: There have been cuts in library hours. Books will be moved from the humanities library to the science library. Subject librarians are making decisions about what books to order with input from faculty. There will be resistance from the humanities if there is a move to digital materials because of the way these faculty use them, and these faculty will need to become more familiar with digital materials. The current representative will not serve on UCOLASC next year. The cuts at the library will not go into effect until next fiscal year and will amount to 8% or about \$1.3 million. The cut will impact student workers, will result in layoffs which will effect the level service.

Berkeley: As library hours were reduced and branch libraries were closed, undergraduate students protested. The campus is not paying for undergraduate students to maintain library hours. Some professional schools have taken over funding the libraries. A search for the new director of the Bancroft library is underway. The representative asked what the campuses do when a faculty member with a large collection of books retires. Merced and Santa Barbara's representatives indicated that they would take them.

Merced: The UL has unexpectedly announced his retirement. A new chancellor will begin in July.

Santa Barbara: The campus is building a new library. The arts library will be moved into this new library and the building will include learning spaces. Two floors of storage facilities for special collections will be provided. A 24 hour study space will be expanded. There will be a push to create a humanities and social science center to train faculty on how to use digital materials.

X. New Business

Chair Schneider will continue to participate in the NPG negotiations in the same capacity as Professor Yamamoto and UCOLASC's new chair will also participate. The Chair will continue to serve on SLASIAC.

The members thanked Chair Schneider and the analyst with a round of applause.

XI. Executive Session

Meeting adjourned at: 4 p.m.

Minutes prepared by: Brenda Abrams

Attest: Rich Schneider