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Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

March 28, 2018

SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL

Re: Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Susan:

As you requested, I distributed for systemwide Senate review the proposed Presidential Policy on Open Access for Theses and Dissertations. All ten Academic Senate divisions and three systemwide committees (BOARS, UCOLASC, and UCACC) submitted comments. These comments were discussed at Academic Council's March 21, 2018 meeting.

We understand that the policy is intended to build on the Academic Senate's Open Access (OA) policy for faculty publications (2013), and the Presidential Open Access policy (2015), which applies the provisions of the Senate policy to non-Senate UC authors. Both policies give UC a limited, non-exclusive right to make published scholarship freely available in the California Digital Library's eScholarship open-access online repository, and both allow authors to opt-out of the OA license or request a temporary embargo for any publication and for any reason through an online mechanism.

Similarly, the Presidential Policy on Open Access for Theses and Dissertations would require each campus to deposit electronic copies of new dissertations and theses to eScholarship. While the policy includes no "opt-out" or waiver clause, it would allow graduate students who do not wish to make their work immediately available to specify an embargo period of two years, or longer for "compelling circumstances." Graduate divisions on the ten campuses would be responsible for local guidelines and implementation procedures, as well as resolving any conflicts that arise.

Although the Senate continues to support the principle of open access and its broad application across the University, we have some concerns about the policy on Theses and Dissertations in its current form. The comments and concerns are summarized below and the full set of Senate reviewer letters is attached for your reference. We ask policy authors to address these concerns before issuing the final policy.

Several Senate reviewers expressed concern about how an OA requirement could harm a graduate student's ability to publish a book based on their dissertation as part of an academic

career, particularly in book-publishing fields such as the humanities and social sciences. Reviewers cited evidence that publishers are more reluctant to publish manuscripts from dissertations available in an open access repository. Some suggested that the policy's two-year embargo period for scholars in book-publishing fields is too brief and could hurt students' publication chances and expose them to the risk of copyright infringement. They also noted that the policy includes no clear definition of "compelling circumstances" for extending an embargo, which could lead to confusion and uneven application across campuses. It is also unclear how the policy would apply to the collaborative research model common in the sciences, and to theses and dissertations in the arts that may include paintings, dance, collections of images and sounds, or portfolios of other artistic works.

We recommend including more flexibility in the policy concerning the length of embargoes that allows variation across disciplines. We also recommend that students be required to make an affirmative selection with their thesis or dissertation submission of a two-year embargo, no embargo, or an infinite embargo – that is, a waiver allowing a student to opt-out of the OA requirement altogether. This waiver provision would also help the policy meet its stated goal of aligning the graduate student policy with the Senate and Presidential OA policies. The 2-year waiver option should have a mechanism allowing it to be extended.

It would also be helpful for the policy to include additional examples of disclosures that might justify an embargo or embargo extension, such as intellectual property pending patent, along with a procedure to resolve potential conflicts of interest between the dissertation author and their supervisors regarding embargo.

Reviewers also requested more information about how the proposed systemwide policy draws on existing campus practices. UCACC suggests that policy authors ensure alignment between UC policy and Networked Digital Library of Theses and Dissertations policies related to embargoes, intellectual property, and access. UCACC also recommends improvements to eScholarship's thesis and dissertation deposit procedures that better align with the FAIR principles (Findable, Accessible, Interoperable, and Reusable) for research data and other scholarly products.

In sum, the Senate is strongly committed to the principles of open access and supports the general goals of the Presidential policy to – (as UCAOLASC states) – “align with the University's goals of disseminating our scholarship as widely as possible and making our various research outputs freely available to the public.” However, we believe additional modifications and clarifications are needed to address the concerns expressed by Senate reviewers. Thank you for the opportunity to review and comment. Please do not hesitate to contact me if you have questions.

Sincerely,



Shane N. White, Chair
Academic Council

Encl.

Cc: Academic Council
Senate Director Baxter
Senate Executive Directors



320 STEPHENS HALL
UNIVERSITY OF CALIFORNIA

March 19, 2018

SHANE WHITE
Chair, Academic Council

Subject: Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Shane,

On March 12, 2018, the Divisional Council (DIVCO) of the Berkeley Division considered the proposal cited in the subject line, informed by commentary of our divisional Committee on the Library (LIBR) and Graduate Council (GC). DIVCO declined to endorse the proposal.

The discussion in DIVCO echoed the points raised in the Graduate Council report, which is appended in its entirety. As noted in the attachment, our campus has quite recently developed clear and consistent procedures for managing dissertation embargoes, which are available on the UCB Graduate Division website here: <http://grad.berkeley.edu/academic-progress/dissertation/#publishing-your-dissertation-embargoes>.

LIBR also opposes the proposed policy. It has submitted its commentary to the University Committee of Library and Scholarly Communications, through our divisional representative.

In sum, we recommend that the Office of the President reconsider the proposed policy informed by existing campus policies and procedures.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Alvarez-Cohen'.

Lisa Alvarez-Cohen
Chair, Berkeley Division of the Academic Senate
Fred and Claire Sauer Professor
Department of Civil and Environmental Engineering

Encl.

cc: Whendee Silver, Chair, Graduate Council
C. D. Blanton, Chair, Committee on the Library
Sumei Quiggle, Associate Director staffing Graduate Council
Sumali Tuchrello, Senate Analyst



320 STEPHENS HALL
UNIVERSITY OF CALIFORNIA
February 6, 2018

PROFESSOR LISA ALVAREZ-COHEN
Chair, Berkeley Division of the Academic Senate

Re: Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Chair Alvarez-Cohen,

At its January 29 meeting, the Graduate Council reviewed the proposed Presidential Policy on Open Access for Theses and Dissertations. Within the past year and a half, UC Berkeley's Graduate Division, in response to a growing number of requests for lengthy embargo periods, worked with Berkeley's library staff to create consistent and clear procedures for dissertation embargoes at UC Berkeley (see <http://grad.berkeley.edu/academic-progress/dissertation/-publishing-your-dissertation-embargoes>). Thus we took very seriously the concerns raised by the Graduate Division, and we cannot endorse the presidential policy as written, due to four broad concerns:

1. The proposed policy does not fully address the concerns that publishers are reluctant to publish manuscripts from dissertations available in an open-access repository.
2. The proposed policy does not give a definition of "compelling circumstances" for which an embargo of longer than two years might be justified.
3. The proposed policy would allow appeals of embargo decisions to Graduate Councils, which is insupportable in terms of workload.
4. The proposed policy would establish a new right to request the redacting of sensitive material from dissertations, which the Berkeley campus does not currently allow.

These concerns are elaborated more fully in the attached memo from Graduate Division Associate Dean Kim Voss, which Graduate Council endorsed in its entirety (though some members felt that we should go even further to protect the rights of graduate students).

Sincerely,

A handwritten signature in cursive script that reads 'Whendee Silver'.

Whendee Silver
Chair, Graduate Council

CC: Kim Voss, Associate Dean, Graduate Division
Attachment: Memo from Graduate Division Associate Dean Kim Voss

To: Graduate Council

From: Kim Voss, Associate Dean, Graduate Division

RE: Proposed Presidential Policy on Open Access for Theses and Dissertations

Overview

Michael Brown, Executive Vice President for Academic Affairs, has requested comments and feedback on a new draft policy concerning Open Access for UC Theses and Dissertations. This draft policy comes a year and a half after UC Berkeley's Graduate Division, in response to a growing number of requests for lengthy embargo periods, worked with Berkeley library staff to create consistent and clear procedures for dissertation embargoes at UC Berkeley.

Graduate Division oversees dissertation embargo requests on behalf of the Graduate Council. Our experience with embargo requests over the past year and a half raises four broad concerns about the proposed Presidential Policy:

1. The proposed Presidential Policy does not fully address the concerns expressed by Berkeley faculty and graduate students, as well as by the American Historical Association, that publishers are reluctant to publish manuscripts from dissertations available in an open-access repository. These concerns should be more fully acknowledged and attended to.
2. The proposed Presidential Policy gives the Provost and Executive Vice President for Academic Affairs the ultimate authority to interpret the "compelling circumstances" that might justify an embargo of longer than two-years or an embargo that is requested after the filing of a thesis or dissertation. Yet, no definition of "compelling circumstances" is given and no examples of such circumstances are provided. Some elaboration of "compelling circumstances" is needed in the new policy.
3. The proposed Presidential Policy would establish a new right of appeal for PhD graduates who dislike embargo decisions. It would allow appeals to Graduate Councils. In our experience, no one who is denied a lengthy embargo or an embargo after filing is happy about the decision, no matter how compelling the justification. Given that the Berkeley Graduate Council already has a very full workload, we are concerned about this new right of appeal, for we anticipate that most unhappy petitioners would be likely to pursue it, but that outcomes would not be appreciably different. We believe that a better strategy would be a fuller definition of "compelling circumstances," in combination with an "embargo extension" process like the one we have at UC Berkeley (<http://grad.berkeley.edu/academic-progress/dissertation/-publishing-your-dissertation-embargoes>).
4. The proposed Presidential policy would establish a new right to request the redacting of sensitive material from dissertations. The Berkeley campus does not currently allow such redaction and we feel strongly that the combination of the human subjects' review (which

often requires the anonymizing of sensitive data) and dissertation embargoes are far superior to redaction.

Elaboration and Recommendations

1a) The FAQ section of the proposed Presidential Policy gives an affirmative answer to the question, “Will journal or book publishers consider publishing my thesis/dissertation if it is already available in an open access repository, like e-Scholarship?” The answer goes on to acknowledge that the policies and practices vary but the general theme is that this should not be a big concern. However, in the experience of the Berkeley Graduate Division over the past year and a half, the reason most often cited for lengthy embargoes or for embargoes after filing is exactly this concern with negative publication consequences. What’s more, this concern is sometimes valid. Stanford University Press, for one, has a policy of not publishing manuscripts from dissertations that are available in an open access repository (see attachment A).

Moreover, the concern about negative publication consequences is endorsed by at least one professional association (the American Historical Association) and in a well-cited article in the *Chronicle of Higher Education*. In 2013, the American Historical Association issued a “Statement on Policies Regarding the Embargoing of Completed History PhD Dissertations” (<http://blog.historians.org/2013/07/american-historical-association-statement-on-policies-regarding-the-embargoing-of-completed-history-phd-dissertations/>). It urges universities to adopt six-year embargo policies, cautioning, “[W]ith the online publication of dissertations, historians will find it increasingly difficult to persuade publishers to make the considerable capital investments necessary to the production of scholarly monographs.” In the *Chronicle of Higher Education*, Larry Cassuto similarly advises graduate students, “Don’t make your dissertation available online. Book editors seem unanimous on that point for obvious reasons.”

The best research we have to date (Ramirez et al. 2013) challenges such views. Nonetheless, they persist, in part because some publishers (like Stanford) do in fact have policies against publishing manuscripts from open-access dissertations. **Thus, based on our experience at Berkeley, we recommend that the Presidential Policy recognize the concern that open-access dissertations might sometimes undercut publication chances by 1) acknowledging the extent of the concern, 2) citing the relevant literature challenging it, and 3) stating explicitly that embargo extensions beyond the initial two year period will be granted if correspondence from a publisher is submitted that states that the press will not consider/publish manuscripts from open-access dissertations.**

2a) The Berkeley Graduate Division recognizes other compelling reasons for embargoes beyond evidence of negative publication consequences, including “the disclosure of patentable rights in the work before a patent can be granted, similar disclosures detrimental to the rights of the author, or disclosures of facts about persons, institutions, or locations before professional ethics would permit.” **We recommend that similar examples be added to the proposed Presidential Policy.**

3a) **Rather than establishing a new right of appeal to Graduate Council for PhD graduates who dislike embargo decisions, we recommend a formalized “embargo extension”**

procedure. This has worked well at Berkeley over the last year and a half. It is a procedure by which embargoes beyond the initial 2-year option can be requested. Extensions are granted by the Dean of Graduate Division based on *substantiated* compelling circumstances and with the endorsement of and an explanatory letter from the chair of the dissertation committee (or, if the dissertation chair is unavailable, the current department chair).

A key advantage of a formalized “embargo extension” process is that it discourages graduate students from requesting very long embargo periods when they first file their dissertations based on uncertainty about their publication and research plans. Prior to the implementation of an embargo extension process at Berkeley, graduate students were requesting embargo periods of up to ten years, often based on anecdotes about publication problems or the recommendations of the American Historical Association, or advice like that given in the Cassuto (2013) article (discussed above). Such requests have been reduced greatly as a result of our embargo extension procedure.

4a) In response to the question, **“What if my thesis or dissertation contains sensitive information of a third party?”** the FAQ section of the proposed Presidential Policy states,

Another option is to redact the specific sensitive information and submit the redacted thesis/dissertation without an embargo, making clear that the thesis/dissertation has been redacted and that the redaction does not compromise your argument.

We believe that the permanent redacting of sensitive information goes against the stated purpose of the proposed Presidential Policy, which is to make research done at the university “freely and openly available to the public.” Moreover, it risks eroding academic standards of presenting data to support arguments. In addition, it goes against the best interest of graduate students because journal and book publishers do not allow the redacting of sensitive information in publications. **Thus, we recommend strongly that this right of redaction be eliminated from the proposed policy.**

Citations:

Cassuto, Larry. 2011. “It’s a Dissertation, Not a Book.” *Chronicle of Higher Education*. <https://www.chronicle.com/article/Its-a-Dissertation-Not-a/128365> (assessed January 10, 2017).

Rameriz, Marisa L., Joan T. Dalton, Gail McMillan, Max Read, Nancy H. Seamans. 2013. “Do Open Access Electronic Theses and Dissertations Diminish Publishing Opportunities in the Social Sciences and Humanities? Findings from a 2011 Survey of Academic Publishers” *College and Research Libraries* 74(4): 368-80. <https://doi.org/10.5860/crl-356> (assessed January 10, 2017).

Attachment A: Stanford letter



STANFORD UNIVERSITY PRESS

500 Broadway, Redwood City CA 94063

www.sup.org

XXXX

Assistant Professor
Graduate School of Architecture, Planning, and Preservation
Columbia University

May 11, 2017

Dear XXXX,

Upon approval for publication, Stanford University Press asks each of its authors remove any prior versions of their manuscript from any online venue. This policy extends to dissertations, and applies to dissertation portals such as ProQuest and campus repositories.

In keeping with this policy, we request that your dissertation, *Planning Beirut: For the War Yet to Come*, be withdrawn from the University of California, Berkeley Library dissertation collection.

Sincerely,

Kate Wahl

Publishing Director
Editor-in-Chief



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academicsenate.ucdavis.edu

March 12, 2018

Shane White
Chair, Academic Council

RE: Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Shane:

The proposed Presidential Policy on Open Access for Theses and Dissertations was forwarded to all standing committees of the Davis Division of the Academic Senate. Ten committees responded: Academic Freedom (CAFR), Graduate Council, Library, Research (COR), and the Faculty Executive Committees (FEC) of the College of Agricultural and Environmental Sciences (CAES), the College of Biological Sciences (CBS), the College of Letters and Science (L&S), the Graduate School of Management (GSM), the School of Law (SOL), and the School of Veterinary Medicine (SVM).

Committees support open access in principle and support much of the proposed policy. Graduate Council notes that the proposed policy reflects many practices already implemented at UC Davis.

Committees emphasize the importance of allowing embargoes greater than two years, particularly for scholars in book-publishing fields. CAFR and the Library Committee recommend allowing embargoes up to six years. At UC Davis, Graduate Council and the Graduate Program Chair must approve embargo requests greater than two years. Principal Investigators (PI) must also approve embargo requests; while there is no mention of a PI requirement in the proposed policy, the Library Committee and COR emphasize its importance.

CAFR and the FEC of GSM also expressed concern about FAQ #8, which asks, "Will journal or book publishers consider publishing my thesis/dissertation if it is already available in an open access repository, like eScholarship?" The FAQ answers "yes." In its response (enclosed), CAFR cites a 2013 study, noting that "'82.8 percent of journal editors and 53.7 percent of university press directors polled' might consider for submission a manuscript already available in an open access database." As such, CAFR recommends that "yes" be replaced with a nuanced statement, such as, "For the most part, in the case of scholarly journals, yes; in the case of university presses publishing books, only somewhat more than half would say yes." Similarly, the FEC of GSM says the response to FAQ #8 is "conjectural and states merely an opinion as to how publishers will react."

Finally, committees note that the proposed policy does not address certain types of theses and dissertations, particularly in the arts. "How will paintings, dance, design portfolios, or other artistic works," writes CAFR, "be made open access in such a way as to protect the rights of the artists?" Likewise, the FEC of L&S notes that some degrees, such as an MFA, "may present a wide range of final projects. Some students

may write a traditional thesis, while others present artistic work that could also be archived (e.g. photographs, drawings, music, musical scores), but a third kind of student in an MFA may have physical final projects (e.g. sculptures)...Is the CDL repository ready to archive collections of images or sounds? Shall we require this to be the case? What kinds of exception or clarification or documenting requirements should be added to the open access policy for graduate programs where students may or may not produce a significant written thesis?" In addition, the FEC of GSM asks, "what if a thesis has significant elements of interactive computational work (e.g. a visualization or computation using real-time data)—does the standard deal with such issues well?"

The Davis Division appreciates the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Rachael E. Goodhue". The signature is written in dark ink on a white background.

Rachael E. Goodhue
Chair, Davis Division of the Academic Senate
Professor and Chair, Agricultural and Resource Economics

Enclosed: Davis Division Committee Responses

c: Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate
Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael LaBriola, Principal Policy Analyst, Systemwide Academic Senate

March 12, 2018

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Shane White, Academic Council
1111 Franklin Street, 12th Floor
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RE: Systemwide Review of Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Shane,

At its meeting of March 6, 2018, the Irvine Division Senate Cabinet reviewed the proposed Presidential Policy on Open Access for Theses and Dissertations. The Council on Faculty Welfare, the Council on Research, Computing, and Libraries, the Council on Teaching, Learning, and Student Experience, and the Graduate Council initially reviewed the proposed presidential policy. The following issues emerged in the Cabinet's discussion:

- Members suggested that the proposed presidential policy reflects current practice at a number of UC campuses and framed the proposed presidential policy as an effort to create alignment across the UC system. We wondered how many campuses have such a policy and what have been the benefits and drawbacks associated with this policy at the campuses.
- There is uncertainty about the assertion that open access would not impact a student's ability to publish a book based on their dissertation. Is there in fact evidence to prove this is accurate? There was a concern that this policy represented an infringement on students' intellectual property rights.
- Members suggested that the author of the thesis or dissertation should have the option to submit their work into a repository, with the default being open access. The current proposal makes submission to an open access repository a requirement.
- Concerns were raised about the concept of "compelling circumstances" as a determinant for approving an embargo of longer than two years' time. What constitutes "compelling circumstances" and who makes that determination?

The Irvine Division appreciates the opportunity to comment.

Sincerely,



Maria Pantelia, Chair
Academic Senate, Irvine Division



C: Linda Cohen, Chair-Elect, Academic Senate, Irvine Division
Hilary Baxter, Executive Director, Academic Senate
Natalie Schonfeld, Executive Director, Academic Senate, Irvine Division
Laura Gnesda, Analyst, Academic Senate, Irvine Division

March 13, 2018

Shane White
Chair, Academic Council

RE: Systemwide Senate Review: Proposed Presidential Policy on Open Access for Theses and Dissertations

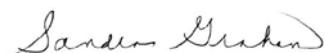
Dear Shane,

The Executive Board of the UCLA Academic Senate discussed the Proposed Presidential Policy on Open Access for Theses and Dissertations at its meeting on March 8, 2018. The Executive Board solicited comments from standing committees of the Senate; the individual responses from our various committees follow.

Overall, committee members agreed with the proposed policy. That said, several Executive Board members echoed the concerns raised by the Committee on Library and Scholarly Communication (COLASC). For students in disciplines where dissertations are more likely to be book-length manuscripts and the student wishes to publish his/her dissertation as a book, the two year embargo may not be long enough. Senate Executive Board recommended a five year embargo instead as standard practice if requested by the student. COLASC also noted "since the students will retain copyright on their dissertations, requiring a petition to the administration for a longer embargo is counter to the spirit of ownership that students should have in their own work." Finally, several members noted that the current UC open access policies for Academic Senate and non-Senate authors focuses on scholarly articles, not books. Thus, stating that the new policy for graduate student theses and dissertations extends existing policy to create systemwide uniformity is not accurate.

The Executive Board appreciates the opportunity to opine. Please feel free to contact me should have any questions.

Sincerely,



Sandra Graham
Chair, UCLA Academic Senate

cc: Hilary Baxter, Executive Director, Systemwide Academic Senate
Joe Bristow, Vice Chair/Chair-Elect, UCLA Academic Senate
Susan Cochran, Immediate Past Chair, UCLA Academic Senate
Michael LaBriola, Principal Policy Analyst, Systemwide Academic Senate
Linda Mohr, Chief Administrative Officer, UCLA Academic Senate



OFFICE OF THE ACADEMIC SENATE
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(209) 228-7954

MARCH 5, 2018

SHANE WHITE, CHAIR, ACADEMIC COUNCIL

RE: PROPOSED PRESIDENTIAL POLICY ON OPEN ACCESS FOR THESES AND DISSERTATIONS

The proposed *Presidential Policy on Open Access for Theses and Dissertations* was distributed to the standing committees of the Merced Division of the Academic Senate and the school executive committees. Comments were received from the Committee on Academic Planning and Resource Allocation (CAPRA), the Committee for Diversity and Equity (D&E), Graduate Council (GC), and the Library and Scholarly Communications Committee (LASC); these are enclosed. The remaining committees appreciated the opportunity to opine, but had no comment.

The proposed policy was discussed at the February 6, 2018 meeting of Divisional Council. Like several committees, members were concerned about the implications of the policy for fields in which dissertations are routinely published as books. As currently written, the policy provides an embargo period of up to two years, with longer periods of embargo possible under "compelling circumstances." Members noted that the process of revising a dissertation into a manuscript typically takes longer than two years, and frequently up to six or more. Members also recognized that, once a book is published, authors might be vulnerable to copyright infringements if a previously embargoed dissertation is made available in an open access repository.

Data from Ramirez et. al. (2013)¹ suggests these concerns have merit; 7.3% of university presses surveyed in the study reported they would not consider for publication a manuscript which is a revision derived from an openly accessible thesis or dissertation, while another 7.3% responded they would consider it if it were accessible only to the campus where the thesis or dissertation was completed. **For these reasons, members feel strongly that the policy's embargo period needs to be reconsidered, and recommended an embargo period of up to six years with the potential to extend the embargo indefinitely in situations where making the dissertation available via open access would potentially result in copyright infringement.** In resolving this issue, members also noted it might be useful to consult with UC librarians and/or look to practices in Europe where books are a more common publication format for dissertations/theses.

¹ Ramirez, Marisa L. et al. 2013. Do Open Access Electronic Theses and Dissertations Diminish Publishing Opportunities in the Social Sciences and Humanities? Findings from a 2011 Survey of Academic Publishers. *College & Research Libraries*, v. 74: 4, p. 368-380.

Finally, we note D&E's recommendation that students be able to opt out of E-scholarship, with the provision that the work be available via another platform.

We thank you for the opportunity to opine.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Amussen".

Susan Amussen, Chair
Division Council

CC: Divisional Council
Hilary Baxter, Executive Director, Systemwide Academic Senate
Laura Martin, Executive Director, Merced Senate Office
Senate Office

Encl (8)

UNIVERSITY OF CALIFORNIA, RIVERSIDE

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SANTA BARBARA • SANTA CRUZ

CHAIR, ACADEMIC SENATE
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March 13, 2018

Shane White, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: Systemwide Review of Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Shane,

The UCR Division offers the attached responses to the Proposed Presidential Policy. You will see that the primary concern articulated by several consulted committees is in regard to the need for more flexibility with the period of embargo for publishing dissertations/theses, particularly those that contain intellectual property that is pending patent. In addition to this matter, the Committee on Library and Information Technology offered a suggestion that the Policy include a procedure to resolve potential conflicts of interest between the dissertation author and their supervisors regarding embargo. The Committee on Academic Freedom recommended that one particular answer in the FAQ section of the document be clarified and made more precise.

Graduate Council, the Committee on Planning and Budget, and the Executive Committees of the School of Public Policy, Bourns College of Engineering, Graduate School of Education, and the College of Humanities and Social Sciences all support the Proposed Policy without substantive additional comment.

The UCR Division appreciates the opportunity to comment on this matter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Dylan Rodríguez", is written over a light blue horizontal line.

Dylan Rodríguez
Professor of Media & Cultural Studies and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office



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February 21, 2018

Professor Shane White
Chair, Academic Senate
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

SUBJECT: Review of Proposed New Open Access Policy – Theses & Dissertations

Dear Shane:

The proposed Open Access Policy for Theses and Dissertations was circulated to the San Diego Divisional Academic Senate standing committees for review, and was discussed at the San Diego Divisional Senate Council meeting on February 12, 2018. A strong majority of the San Diego Divisional Senate Council did not endorse the proposal in its present form. Senate Council's concerns are summarized below.

Reviewers expressed concern that the proposed two-year embargo period may not be sufficient for certain disciplines, and suggested that department chairs be given the opportunity to review the thesis/dissertation and have the option to suggest an embargo period that could exceed two years.

Reviewers noted the importance of ensuring that students are given sufficient notice prior to filing their theses and dissertations, and suggested the development of a better process/procedure to ensure that students are given adequate notice and information about the open access policy.

It was pointed out that faculty have the ability to opt out of releasing their academic work, and it was suggested that students may have similar needs to delay the release of their theses and dissertations that are not taken into account in this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Farrell Ackerman".

Farrell Ackerman, Chair
Academic Senate, San Diego Division

cc: H. Baxter R. Horwitz R. Rodriguez

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David Teitel, MD, Chair
Sharmila Majumdar, PhD, Vice Chair
Vineeta Singh, MD, Secretary
Jae Woo Lee, MD, Parliamentarian

March 14, 2018

Shane White, PhD
Chair, Academic Council
Systemwide Academic Senate
University of California Office of the President
1111 Franklin St., 12th Floor
Oakland, CA 94607-5200

Re: Proposed Presidential Policy on Open Access for Theses and
Dissertations

Dear Shane,

The San Francisco Division of the Academic Senate recently reviewed the draft UC Open Access Policy for Theses and Dissertations. This proposed policy will allow UC to obtain a limited license to permit electronic theses or dissertations authored by UC graduate students to be available in an open access repository, overcoming the current lack of a systemwide policy for ensuring open access to UC graduate students' theses and dissertations.

Both UCSF's Graduate Council and Committee on Library and Scholarly Communication (COLASC) support the proposed policy as written. In supporting this policy, COLASC adds that the implementation of a uniform and common digital repository for student theses and dissertations would provide each UC campus with a consistent and cohesive process for managing its published research. Furthermore, COLASC affirms the opportunities for faculty to efficiently support early investigators and improve research collaborations across UC, by facilitating access to student-driven research. Finally, COLASC commented that searching for relevant material deposited in lesser-known repositories might present difficulties for investigators submitting their work to a variety of digital repositories, which makes this policy very timely.

Thank you for the opportunity to review this important proposed policy. If you have any questions, please let me know.

Sincerely,



David Teitel, MD, 2017-19 Chair
UCSF Academic Senate

Encl. (2)

CC: Sharmila Majumdar, Vice Chair, UCSF Academic Senate
Diana Laird, Chair, UCSF COLASC
Vincanne Adams, Chair, UCSF Graduate Council
Hilary Baxter, Executive Director, UC Academic Senate

UNIVERSITY OF CALIFORNIA, SANTA BARBARA

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Henning Bohn, Chair

March 12, 2018

To: Shane White, Chair
Academic Council

From: Henning Bohn, Chair
Santa Barbara Division

A handwritten signature in cursive script that reads "Henning Bohn".

Re: Proposed Presidential Policy on Open Access for Theses and Dissertations

The Santa Barbara Division's review of the proposed Policy on Open Access for Theses and Dissertations drew affirmations of general to unanimous support from the councils and committees that were invited to opine, including Graduate Council, Committee on Library, Information and Instructional Resources, Committee on Research Policy and Procedures, and all College and School Faculty Executive Committees (FECs). Some of these groups offered well-reasoned suggestions for further refinement of the proposed policy.

The Letters and Science FEC noted that the proposed process fails to consider the potential consequences for larger collaborative research environments out of which a thesis or dissertation may emerge. Within the collaborative research model of many of the sciences, it may be important to include faculty in the decision of whether and for how long a dissertation should be embargoed. For example, in such cases, the research programs of other students may be affected by a decision of a graduate student not to embargo his or her thesis or dissertation. The FEC further suggests that the policy clarify the process for extending an embargo under compelling circumstances. The Committee questioned whether two years is an acceptable period of embargo and what rationale was used to determine that timeframe.

The Committee on Research Policy and Procedures (CRPP) noted that, for faculty in the humanities, the Ph.D. thesis often serves as a first draft for a larger body of work that will be produced early in the faculty member's career. Portions of the thesis will be polished and subsequently published as journal articles, and the thesis itself may well become the core of a first book. A successful academic career depends not only on writing that book, but on getting it published, and completely open online access of the first draft is likely to make it very difficult to obtain a book contract. The Committee on Library, Information, and Instructional Resources echoed this concern.

CRPP believes that students should be given the option of either a two-year embargo or a five-year embargo, with the provision that the embargo period could be renewed once upon request. Any renewals beyond the first would require "compelling circumstances." A five-year once-renewable embargo should meet the needs of

future academics in the humanities. The Committee further believes that graduate students should be required to indicate whether they wish no embargo, a two-year embargo, or a five-year embargo at the moment they are submitting the dissertation, so as to avoid becoming disadvantaged later in their careers because they did not realize that embargoing was an option.

CRPP anticipates that the California Digital Library (CDL) would maintain a database of thesis titles and abstracts online even for those theses that are embargoed. The Committee suggests that for embargoed theses, members of the public could request access through the CDL, and that those access requests would be forwarded to the thesis authors for action.

To make its suggestions concrete, CRPP proposed modified language for sections III.D and IV.B of the proposed policy, as follows.

III. D. Delay of Open Access / Embargo

Graduate students may delay the date their theses or dissertations become available in an open access repository by specifying ~~the an~~ embargo period ~~—up to two years—~~ of either two years or five years upon filing. ~~A student who does not wish to have an embargo must make a positive declaration to that effect. The thesis or dissertation author may receive a renewal of the embargo of the same duration upon timely request. Upon compelling circumstances, the University may grant embargoes of longer than two years a second renewal of an embargo or embargoes requested after filing.~~

IV. B. Compliance with the Policy

The Dean of the Graduate Division (or delegee of the Dean) for each campus or location is responsible for local communication, compliance, and enforcement of this policy. The Deans (or their delegees), upon compelling circumstances, are authorized to grant ~~embargoes of longer than two years second renewals of embargoes~~ or embargoes requested after filing to those graduate students within their jurisdiction. Appeals of decisions made under this Section IV.B may be made to the relevant Graduate Council.

Each campus or location is responsible for providing theses or dissertations to the California Digital Library ("CDL"), and CDL is responsible for maintaining the open access repository and ensuring that the theses and dissertations within the repository are freely and openly available to the public. ~~For embargoed theses, the CDL shall deposit the title and abstract during the embargo period and shall forward access requests to the author of the thesis or dissertation.~~ The Deans (or their delegees) will work with CDL, the Office of Scholarly Communication, and/or the University Librarians to support compliance with this policy and to obtain information to assess compliance.



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March 14, 2018

SHANE N. WHITE
Chair, UC Academic Council

Re: Systemwide Review of Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Shane,

The Santa Cruz Division has reviewed and discussed the proposed Presidential Policy on Open Access for Theses and Dissertations. Responses were received from the Committees on Academic Freedom (CAF), Academic Personnel (CAP), Faculty Welfare (CFW), Information Technology (CIT), Library and Scholarly Communication (COLASC), Research (COR), and the Graduate Council (GC). The Senate appreciates the time, consultation, and care that went into drafting the proposed policy. In most respects, it seems to complement the open access policies currently in place, and maintains the high standards of good practice in research and education at the University of California.

Embargo Period

Many of the committees raised concerns about the proposed embargo period, noting that the need for, and the length of, an embargo period varies across disciplines. For example, a dissertation in the Arts, Humanities and Social Sciences divisions often takes longer than two years after dissertation completion to publish. CAF notes that it can take five years (usually more) to revise a dissertation and publish a monograph, and often three or four years to have an article appear in a major peer-reviewed journal. In this context, CAP is concerned about plagiarism, "which has become a worldwide problem exacerbated by online circulation and is virtually unregulated in many nations at this point." It is standard procedure for many students to embargo their dissertations, especially for scholars who are beginning their careers as they do not want to circulate their work until it is in its final form. CAP, CFW and GC suggest providing an automatic embargo period, which would provide graduate students time to decide whether or not an embargo is needed for their work and they could be invited to "opt out" if they desired. Given the differences among the disciplines, CAF recommends that the policy provide graduates the ability to protect their work by adjusting the embargo period to five-year as a simple default option, without special conditions or submitting "compelling reasons" when a thesis or dissertation is filed.

Submission Process

COR suggests that the language concerning the submission of the thesis, Section III. c., be clarified to avoid ambiguity since the conferral of degree and filing dates are different, and the open access submission should follow the same deadline structure. The suggested revision is below, italicized:

"To assist the University in archiving and openly disseminating theses and dissertations within the scope of this policy, all of the University's graduate students will submit the final version of the student's thesis or dissertation to the University

at the same time as the signed title page is submitted, that is, by the deadline date listed in the Academic Calendar for the quarter the degree is to be conferred, regardless of whether an embargo is obtained. Such thesis or dissertation will be made freely and openly available to the public after filing, unless the graduate student obtains an embargo pursuant to Section III.D below.”

Redaction

CAF noted the proposed policy does not mention redaction, but the FAQ document that accompanies it does:

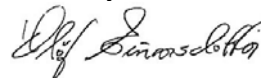
What if my thesis or dissertation contains sensitive information of a third party?

There are at least two options. One option is to seek an embargo on your thesis or dissertation, assuming that the passage of time (e.g., two years) will alleviate the sensitivity of the information being publicly available. Another option is to redact the specific sensitive information and submit the redacted thesis/dissertation without an embargo, making clear that the thesis/dissertation has been redacted and that the redaction does not compromise your argument. Please discuss with your thesis/dissertation advisor or chair before deciding whether to place an embargo on, or incorporate redactions to, your dissertation for sensitive non-patentable information.

CAF points out that this recommendation does not seem to conform to best practices across most disciplines. The committee notes that if identities need to be concealed to protect research subjects, that decision is best made prior to inclusion in the dissertation, and in accordance with the research protocols, association guidelines, and ethical codes from the respective disciplines. CAF also points out that it is unwise to conflate the careful protection of research subjects with the embargo question, as the FAQ document does, and CAF recommends that this section of the document be removed.

CAP suggests polling graduate students and university presses if their feedback on immediate open access has not yet been solicited. Also, for the benefit of the research community, CIT suggests exploring the option of making previous dissertations and theses available via Open Access. In conclusion, the Division supports the proposed policy with the recommended changes prior to its implementation.

Sincerely,



Ólóf Einarsson, Chair
Academic Senate
Santa Cruz Division

cc: Committees Academic Freedom Chair Hershalter
Committee on Academic Personnel Chair Freccero
Committee on Faculty Welfare Chair Profumo
Committee on Information Technology Chair Brant
Committee on Library and Scholarly Communication Chair Horne
Committee on Research Chair Milutinović
Graduate Council Chair Dent

Enclosed: Committee response bundle



UNIVERSITY COMMITTEE ON ACADEMIC COMPUTING
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March 14, 2018

SHANE WHITE
ACADEMIC COUNCIL CHAIR

Re: Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Shane,

The University Committee on Academic Computing and Communications (UCACC) solicited comments on the Proposed Presidential Policy on Open Access (OA) for Theses and Dissertations from each of its campus representatives and other committee members. During our February 26th meeting, we also reported on the UCOLASC discussion of the policy on the prior Friday, February 23rd, which I attended as an ex officio member.

We affirm the UCOLASC statement that the proposed policy is well aligned with the stated goals of the University, which include disseminating our scholarship as widely as possible and making our various research outputs freely available to the public. UCACC also strongly supports the proposed policy because it extends our existing OA Policies (i.e., Academic Senate and Presidential) to include student theses and dissertations.

As UCOLASC and other committees have opined on the educational policy and intellectual property aspects of the proposed policy, we shall limit our concerns to those of academic computing and communications infrastructure for the University. UCACC previously affirmed the FAIR principles, that research data and other scholarly products should be Findable, Accessible, Interoperable, and Reusable (FAIR) (Wilkinson et al., 2016). Theses and dissertations are critical components of the scholarly record, representing the contributions for which degrees are awarded. Over the course of several centuries, universities have made dissertations available as a public record, usually through their libraries (Corbett, 2016; "Dissertations | CRL," 2017; Edminster & Moxley, 2002; E. A. Fox, McMillan, & Eaton, 1999). From the mid-20th century onwards in the U.S., access to dissertations was also provided centrally through commercial publishing services. In 1951, the Association of Research Libraries gave approval to University Microfilms to launch Dissertation Abstracts, which later became ProQuest ("ProQuest - History & Milestones," 2017). Full text was available first in microfilm and latter in digital form. Given the importance of theses and dissertations to the scholarly record, and limited access due to the expense of obtaining them through commercial subscription services such as ProQuest,

universities began to explore open access options by the mid-1980s. In 1987, a consortium was launched to build the National (later Networked) Digital Library of Theses and Dissertations. Within 10 years, the NDLTD was fully operational. It is now a major international resource that harvests theses and dissertations from all continents (Edward A. Fox, 2017). Universities, library organizations and services, government agencies, and commercial services are partners in the NDLTD endeavor. Consensus was achieved nearly two decades ago on many of the topics in the proposed UC policy such as embargoes, intellectual property, and access. We suggest that the NDLTD policy documents be revisited by those implementing the UC policies.

Open access practices, policies, and technologies have advanced substantially in the 30+ years since digital libraries for theses and dissertations originated. An essential infrastructure transition is the shift from solely human searching with hands-on-keyboard to machine-searching by robots and intelligent agents. Data science, and the manipulation of “big data,” rests largely on the ability of networked computers to interact directly with minimal human mediation. The FAIR principles are a significant step toward machine-discoverability of scholarly materials.

The current process for depositing theses and dissertations in the UC eScholarship system does not adequately address the FAIR principles. Improved workflow procedures and interoperability between systems would greatly advance open access to UC theses and dissertations. Deposit procedures, as described by the California Digital Library (“Electronic Theses and Dissertations: ETD: California Digital Library,” 2018) and discussed in the February 23rd UCOLASC meeting, use ProQuest as an intermediary service – by convention only, as UC does not have a contract with ProQuest for this service. Students at each campus deposit their theses and dissertations in this commercial service as a prerequisite to making them open access through eScholarship. In the experience of Senate faculty on UCACC, students are asked by ProQuest for an additional fee (up to \$100) to make their deposited documents open access. Students may be unaware that further in the processing chain, their theses and dissertations are forwarded to eScholarship for open access availability. ProQuest sells subscription access to the theses and dissertations they hold. Individuals without access via university subscriptions can purchase theses and dissertations directly¹; it appears that only those deposits for which students have paid the additional open access fee are available at no cost from ProQuest (“ProQuest - Dissertations,” 2017).

While we recognize that deposit in ProQuest provides additional access to UC theses and dissertations, the continued reliance on a commercial company adds considerable time and expense to the process. Given that UC does not have a contract with ProQuest for this service, and that UC pays ProQuest for subscription access to theses and dissertations, we wonder whether a more advantageous and efficient model might be negotiated.

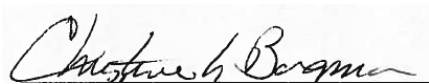
The current process raises a number of questions about appropriate infrastructure, cost of mediation, time delay, and the use of commercial services. To comply with the FAIR principles, students could deposit their theses and dissertations directly from their campus graduate division systems into eScholarship. At present, they deposit into a commercial service, ProQuest, and only

¹ My dissertation from Stanford University is currently available from ProQuest in digital, microfilm, or print at prices ranging from \$38 to \$72 plus shipping. The same prices applied for a 2012 UCLA dissertation.

after several human-mediated handoffs between systems are the theses and dissertations available open access via eScholarship. We encourage the CDL to pursue direct deposit solutions from campus to eScholarship that would enhance the findability, accessibility, interoperability, and reusability of UC theses and dissertations.

In closing, UCACC appreciates the opportunity to review the Proposed Presidential Policy on Open Access for Theses and Dissertations. We hope that the ETD Policy Task Force and the California Digital Library will find our comments useful for implementing policy and improving practice.

Sincerely,



Christine L. Borgman

Chair, University Committee on Academic Computing and Communications

Cc: Academic Council Vice Chair Robert May
Academic Senate Executive Director Hilary Baxter
UCACC Members
UCOLASC Members

References

Corbett, H. (2016). Out of the Archives and Into the World: ETDs and the Consequences of Openness. In K. L. Smith & K. A. Dickson (Eds.), *Open Access and the Future of Scholarly Communication: Implementation*. Rowman & Littlefield.

Dissertations | CRL. (2017). Retrieved March 5, 2018, from <https://www.crl.edu/collections/topics/dissertations>

Edminster, J., & Moxley, J. (2002). Graduate Education and the Evolving genre of Electronic Theses and Dissertations. *Computers and Composition*, 19(1), 89–104.
[https://doi.org/10.1016/S8755-4615\(02\)00082-8](https://doi.org/10.1016/S8755-4615(02)00082-8)

Electronic Theses and Dissertations: ETD: California Digital Library. (2018). Retrieved February 28, 2018, from <https://www.cdlib.org/services/uc3/etd.html>

Fox, E. A. (2017). Networked Digital Library of Theses and Dissertations Celebrates 20th Anniversary. Retrieved March 1, 2018, from <http://www.ndltd.org/>

Fox, E. A., McMillan, G., & Eaton, J. L. (1999). The evolving genre of electronic theses and dissertations. In *Proceedings of the 32nd Annual Hawaii International Conference on Systems Sciences. 1999. HICSS-32. Abstracts and CD-ROM of Full Papers* (Vol. Track2, p. 20 pp.-).
<https://doi.org/10.1109/HICSS.1999.772646>

ProQuest - Dissertations. (2017). Retrieved March 5, 2018, from <http://www.proquest.com/products-services/dissertations>

ProQuest - History & Milestones. (2017). Retrieved March 1, 2018, from <http://www.proquest.com/about/history-milestones>

Wilkinson, M. D., Dumontier, M., Aalbersberg, Ij. J., Appleton, G., Axton, M., Baak, A., ... Mons, B. (2016). The FAIR Guiding Principles for scientific data management and stewardship. *Scientific Data*, 3, 160018. Retrieved from <http://dx.doi.org/10.1038/sdata.2016.18>



UNIVERSITY COMMITTEE ON LIBRARY AND SCHOLARLY COMMUNICATION

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February 26, 2018

SHANE WHITE, CHAIR
ACADEMIC COUNCIL

Re: Systemwide Review of Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Shane,

The University Committee on Library and Scholarly Communication (UCOLASC) solicited comments on the Proposed Presidential Policy on Open Access (OA) for Theses and Dissertations from each of its campus representatives and other committee members. Moreover, during its February 23rd meeting, UCOLASC reviewed the proposed Policy and discussed these comments. UCOLASC also invited members of the Systemwide Electronic Theses and Dissertations (ETD) Task Force to participate in its deliberations.

First and foremost, UCOLASC recognizes that the proposed OA ETD Policy is well aligned with the stated goals of the University, which include disseminating our scholarship as widely as possible and making our various research outputs freely available to the public. To this end and in general, UCOLASC strongly supports the proposed OA ETD Policy, which in effect would extend our existing OA Policies (i.e., Academic Senate and Presidential), to include student theses and dissertations. However as described below, some UCOLASC members on behalf of their campuses have raised concerns that they feel should be addressed by the ETD Policy Task Force in order for the needs of all stakeholders to be met.

UCOLASC is aware that the ETD Policy Task Force originally included representatives of the Graduate Deans, Council of University Librarians (CoUL), Coordinating Committee on Graduate Affairs (CCGA), UCOLASC, Systemwide Library and Scholarly Information Advisory Committee (SLASIAC), UC Libraries, and graduate students; and that the ETD Policy Task Force met four times to discuss relevant issues and to assess how a OA ETD Policy might affect the work of students across the UC campuses. Despite this, some UCOLASC members questioned the degree to which graduate students were deeply involved in the development of a policy that impacts their work directly. What remained unclear were the number of graduate students who participated, whether they represented diverse disciplines, and if they were allowed time to consult with campus-level constituencies. Members also noted that the committees represented on the Task Force seemed to be heavily weighted towards faculty and administrators.

UCOLASC agrees that having a consistent OA ETD Policy for all ten campuses would be a significant accomplishment and a beneficial outcome of the work of the ETD Policy Task Force. At the same time, such a policy must take into account the idiosyncrasies and work flow of specific disciplines. In particular, some UCOLASC members objected to the length of time and mechanism proposed for the embargo period. The overall feeling was that the proposed default two-year embargo period (while perhaps more than adequate or even unnecessary for some graduate students, particularly those in the STEM fields) would not be sufficient in certain circumstances. Members felt that students in fields such as history for example, would likely need additional time as a matter of course during the process of turning their theses or dissertations into books or monographs. Suggestions for a more realistic embargo period ranged from five to seven years in order to give students adequate time to publish their work. Similarly, others suggested that like the Senate OA Policy, the OA ETD Policy might include a waiver so that students who do not want to make their work available are allowed to do so (*i.e.*, opt out). Members proposed that because students hold the copyrights in their own works, they should be able to determine the length of an embargo period or apply for a waiver themselves in consultation with and approval from their thesis or dissertation advisors.

One member also noted that current UC OA Policies do not apply to books written by faculty or staff. Thus, saying that the OA ETD Policy simply extends these OA Policies to all graduate student work and under the guise of making their work “align” with the current OA Policy, can be construed as misleading.

Another UCOLASC member expressed concern that making unpublished student theses and dissertations easily accessible via an OA repository puts students who need more time to publish their work at risk for being “scooped” or plagiarized. This member noted that there is a difference between “archiving” (as has been traditionally done) and making material freely available worldwide.

Finally, some UCOLASC members conveyed a frustration felt at their campuses by the perceived limited amount of time allotted for review of the proposed policy, especially with regard to its initial distribution during winter break. Given the significance of the proposed policy, members felt an extended (or better-timed) review period would have been warranted. In response, the Chair noted that the Senate was given an extension until March 14, 2018, which opened the comment period to more than 100 days from the December 1, 2017 start date.

In closing, UCOLASC appreciates the opportunity to review the Proposed Presidential Policy on Open Access for Theses and Dissertations and our committee remains hopeful that our suggestions will be considered and accepted by the ETD Policy Task Force when the final policy is prepared.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Schneider", with a long, sweeping horizontal line extending to the right.

Richard A. Schneider, PhD
Chair, UCOLASC



BOARD OF ADMISSIONS AND RELATIONS WITH SCHOOLS (BOARS)

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January 29, 2018

**SHANE WHITE, CHAIR
ACADEMIC COUNCIL**

RE: Proposed Presidential Policy on Open Access for Theses and Dissertations

Dear Shane,

The Board of Admissions and Relations with Schools (BOARS) has reviewed the Proposed Presidential Policy on Open Access for Theses and Dissertations. Overall, the committee is supportive of the proposal, but we note two concerns that would benefit from further illumination. First, members wonder how graduate students, especially, would be protected from plagiarism violations in an open access setting, and how much assistance UC would provide in such instances. Second, UC must be mindful to remain consistent with changing professional society standards and not inadvertently disadvantage our student researchers.

Thank you for your attention to these issues.

Sincerely,

A handwritten signature in cursive script, reading "Henry Sánchez".

Henry Sánchez, MD

BOARS Chair

cc: Members of the Board of Admissions and Relations with Schools (BOARS)
Executive Director Baxter