



Kum-Kum Bhavnani
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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 9, 2020

**JANET NAPOLITANO, PRESIDENT
UNIVERSITY OF CALIFORNIA**

Re: Statement requesting unspent subscription money be invested in open access publishing

Dear Janet,

The Academic Council at its February 26, 2020 meeting endorsed the attached statement from the University Committee on Library and Scholarly Communication (UCOLASC). The statement requests that all budget savings from the lapsed contract between UC and Elsevier be preserved in library budgets to support a future Elsevier contract, and/or reinvested in open access publishing with the concomitant free dissemination of UC scholarship. In other words, we ask that UC campus budget offices should keep funds allocated to their Libraries regardless of a contract with Elsevier, so that the Libraries may reinvest them in other contracts or activities that support open access should an Elsevier contract not materialize.

In endorsing the statement, Council members noted the distinction between the use of temporary budget savings and long-term savings, and agreed that libraries and campuses should be accountable for showing how budget savings are being used to support open access and faculty.

Thank you for your enthusiastic encouragement of Open Access policies that ensure UC research is easily available to everyone: as you have said, this is key to the UC mission, and the Senate appreciates your unwavering support.

Please do not hesitate to contact me if you have additional questions.

Sincerely,



Kum-Kum Bhavnani, Chair
Academic Council

cc: UCOLASC
Academic Council
Senate Directors



UNIVERSITY COMMITTEE ON LIBRARY AND SCHOLARLY COMMUNICATION
Dennis J. Ventry, Jr., Chair
djventry@ucdavis.edu

ACADEMIC SENATE
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

December 19, 2019

KUM-KUM BHAVNANI, CHAIR
ACADEMIC COUNCIL

Re: UCOLASC statement requesting unspent subscription money be invested in open access publishing

Dear Kum-Kum:

As you know, the University of California [announced](#) in February 2019 that it would not sign a new contract with Elsevier until it met UC's requirement for a [transformative open access agreement](#). That requirement remains unfulfilled. Meanwhile, the UC Libraries have substantial unspent budgeted funding for FY18/19 that had been allocated to pay for Elsevier subscriptions. If and when UC reaches a transformative agreement with Elsevier, some portion of that funding will be needed to backfill archived materials and for other purposes. The UCOLASC feels strongly that any additional portion should remain with UC Libraries and earmarked for UC's ongoing commitments to open access publishing. The UCOLASC feels equally strongly that FY19/20 funds be allocated and then safeguarded for the same purposes. To this end, on November 14, 2019, the UCOLASC voted unanimously to endorse the following statement:

"The University Committee on Library and Scholarly Communication (UCOLASC) recognizes and appreciates the efforts of the UC Libraries to engage and collaborate with faculty, both at the systemwide and campus levels, during the ongoing journal negotiations between the [UC and Elsevier](#) and other journal publishers. In the interest of furthering this collaboration, UCOLASC's clear and expressed expectation is that any funding from the lapsed contract between UC and Elsevier will be (1) preserved to the extent required to strike a future Elsevier contract, and/or (2) reinvested in open access publishing and the free dissemination of UC scholarship.

We understand that the ten campus Libraries and CDL have taken steps to safeguard the funds originally designated for an Elsevier agreement in FY18/19, and, additionally, have budgeted for the expenses of an Elsevier agreement in FY19/20. We further understand that the UC Libraries are currently incurring costs to provide alternative access to Elsevier materials from 2019, and we appreciate the Libraries' foresight in ensuring that funding for a future transformative open access agreement with Elsevier remain available, including funds that may be needed to purchase the 2019 backfile.

We also appreciate the challenges of continuing to safeguard this funding, and budgeting for an expense that may only come due if we strike an agreement with Elsevier. All ten

UC campuses, through a process involving their respective library committees, have signed the Open Access 2020 (OA2020) expression of interest, which pledges their commitment to “pursue this transformation process by converting resources currently spent on journal subscriptions into funds to support sustainable OA business models.” In that spirit, we believe that it is in the interest of advancing open scholarship at UC that (1) UC budget offices keep those funds allocated to the UC Libraries both retrospectively and prospectively, regardless of a contract with Elsevier, so that (2) the Libraries may reinvest these funds in other contracts or activities that support the UC faculty in advancing the faculty’s open access goals if an Elsevier contract does not materialize.

In the absence of an Elsevier contract, the University should pursue open access more vigorously than ever by providing UC faculty with opportunities to publish open access in other venues. We expect the UC Libraries to rely on funds freed up due to the lapsed Elsevier contract for this purpose. We ask that Academic Council support the Libraries in this endeavor by (1) advocating for safeguarding funds until the Libraries have finalized a plan to reinvest these funds in open access, and (2) advocating against reductions in current and future budget allocations due to open or unknown contract negotiations.

Action Item: UCOLASC is requesting that Academic Council consider endorsing and issuing the above statement in support of reinvesting unspent journal subscription funds in open access publishing.

Please let us know if you have any questions or need additional information.

We thank you for considering this request.

Sincerely,

Dennis Ventry, **Chair**

Karen Ottemann, **Vice-Chair**

Ellen Simms, **UC Berkeley**
Kathryn Olmsted, **UC Davis**
Rebecca Davis, **UC Irvine**
Derjung Mimi Tarn, **UC Los Angeles**
Timothy Tangherlini, **UC Los Angeles (alternate)**
Maria DePrano, **UC Merced**
Leonid Pryadko, **UC Riverside**
John Hildebrand, **UC San Diego**
Marta Margeta, **UC San Francisco**
Paul Berkowitz, **UC Santa Barbara**
Jin Zhang, **UC Santa Cruz**

cc: Mary Gauvain, Academic Council Vice Chair
Hilary Baxter, Academic Senate Executive Director
Michael LaBriola, Academic Senate Associate Director