

Academic Senate Chair Robert May
Remarks to the University of California Board of Regents
March 13, 2019

Thank you Chair Kieffer and members of the Board.

Today, there is just a single matter about which I would like to address the Board. Before doing so, however, I would like to educate the Board about a fact about the Academic Senate. Some of you may be aware of this, but sitting around this table are not only the Chair and Vice-Chair of the Academic Senate, but so too is the President of the Academic Senate. That person, as provided in the bylaws of the Academic Senate, is also the President of the University. Now, when one of our colleagues publishes a major volume, it is our custom to take note, so I would like to congratulate our Senate colleague President Napolitano on the publication of her new book *How Safe Are We? Homeland Security Since 9/11*. In it, President Napolitano draws on her tenure as Secretary of Homeland Security, and according to the Amazon blurb, “pulls no punches” in arguing that the Department of Homeland Security has made the country more safe and secure, and that she “grapples with how these security efforts have changed our country and society.” We look forward to having a seminar with President Napolitano for a critical discussion of her book, and also look forward to perhaps a future volume in which she calls upon her time as President of the University of California and offers us her perspectives on the most important issues in higher education.

Turning now to the issue about which I would like to speak, interestingly it also pertains to publishing. When I last spoke to this Board two months ago, the University of California was in negotiations with Elsevier Publishing for a new contract for access to their scholarly publications. The position of the University in these negotiations was rooted firmly in the Academic Senate and Presidential Policies on open access to published research and scholarship, and the Academic Senate has firmly supported this position. The Academic Senate, through the University Committee on Libraries and Scholarly Communications (UCOLASC), has participated in the negotiations, sitting alongside our colleagues from the California Digital Library and the University Librarians in collectively representing the University of California. While the Academic Senate fully recognizes the financial stakes in these negotiations, more than anything else our stand is based on the principled need to change fundamentally the manner of dissemination of our research and scholarship, to one that comports with universal no-cost public availability. Open access is a demand of academic freedom.

As we know, these negotiations have failed: Elsevier remains far apart from us in both their commitment to open access, and in their financial offer. In response, President Napolitano has forcefully asserted: “I fully support our faculty, staff and students in breaking down paywalls that hinder the sharing of groundbreaking research. This issue does not just impact UC, but also countless scholars, researchers and scientists across the globe — and we stand with them in their push for full, unfettered access.” And they stand with us! As we have learned in the press, and personally from many colleagues who have expressed their gratitude to the University of California, there is broad support from around the country and the world for walking away from

the table in order to enhance the cause of open access. Yesterday, we were joined by the Norwegian consortium of their four universities and forty other academic institutions and hospitals, with a combined spend on the same order as UC's, in not renewing their relationship with Elsevier. Norway now joins Germany and Sweden in affirming their commitment to open access.

We are aware that there will be colleagues and students who will be inconvenienced, but we are also aware that our University librarians have worked diligently to develop contingency plans to retain access to Elsevier materials. Importantly, we must recognize that we have reached a watershed moment in the dissemination of, and access to, our scholarly and research endeavors. The waters ahead are surely not fully charted, and are in many ways murky, but nevertheless our course is towards a fundamental value: Knowledge generated by our scholars and researchers should be accessible regardless of the ability to pay; access should not be the preserve of those with the means to pay. This is the principle of open access.

The Academic Council, over the signatures of the divisional chairs of the Senate, and the chairs of all the standing system-wide Senate committees, has made the following statement:

The Academic Council of the Academic Senate of the University of California (UC), hereby signals its collective and resolute commitment to support UC's negotiating position with Elsevier in order to advance UC's mission as a public institution, make the products of our research and scholarship as freely and widely available as possible, and ensure that UC spends taxpayer money in the most ethically, morally, and socially-responsible way when entering into agreements with commercial publishers.

As the Chair of the Academic Senate, I invite the Regents of the University of California to add their endorsement to the Academic Senate's resolution, and join with us and the President in support of our affirmation of the University's forward-looking stance on open-access scholarly publication.

Thank you Chair Kieffer, that concludes my remarks.