

Systemwide Library and Scholarly Information Advisory Committee

November 11, 1998

**Meeting Notes**

Present: C. Christ (UCB, Chair); W. Copeland (UCSB); C. Kennel (UCSD); R. Lucier (UCOP/CDL and UCOL); M. S. Lynn (UCOP); J. McCredie (UCB); M. Michaels (UCOP); A. Hartford for W. Miller (LANL); M. Pantelia (UCI); M. Pryatel (UCSD); P. Samuelson (UCB); S. Gordon for L. Sautter (UCR); M. Sharrow (UCD); S. Stead (UCLA); C. Tomlinson-Keasey (UCOP); G. Werner (UCLA); G. Peete (UCB; LAUC); G. Lawrence (UCOP, staff).

Absent: J. Beck (UCI); M. Chandler (UCSD); S. Henry (UCSF); H. Varian (UCB); L. Coleman (Academic Council); J. King (UCI; UCOL); J. Lynch (UCSB; UCPB)

Guests: T. Dearie (UCSD; CDL); B. French (CDL); B. Schottlaender (UCLA; CDL); B. Warling (CDL)

The Chair convened the meeting at 10:09 am.

**1. Welcome and Introductions; Review of Meeting Objectives (Christ)**

**Objectives for this Meeting**

- a. Review the expanded library budget strategy described in the 1999-00 Regents' Budget and obtain the Committee's advice.
  - b. Review the library collection strategies embodied in the budget plan and obtain the Committee's advice.
  - c. Obtain the Committee's advice on how best to involve faculty in planning for the development of CDL digital collections.
  - d. Describe key policy issues associated with the library collection strategies and obtain the Committee's advice.
  - e. Demonstrate and obtain Committee feedback on the CDL Web site and its Online Archive of California component.
  - f. Demonstrate and familiarize the Committee with the CDL Patron-Initiated Requesting component and obtain the Committee's advice.
  - g. Review, discuss and frame a formal Committee response to the Universitywide Task Force on Copyright *Report*.
- 2. Review of Library Strategies and Implementation Plans**
- a. Review of recommendations of the LPAI Advisory Task Force: discussion of mid-course corrections, additions, etc. (Lucier)

After referring to the Hawkins paper (in the meeting packet) as a compelling summary of the fundamental structural problems threatening the sustainability of research libraries, Lucier reviewed progress on each of the seven strategies recommended by the LPAI ATF, noting that the University has actively supported and promoted each of them. In particular, the \$10 million provided for campus library collections in the 1998-99 budget, while not permanent money, signified the University's strong support for Strategy 4. In response to a query from the Chair, Lucier reported that after a year's experience the seven strategies still seemed appropriate, and noted that other institutions are beginning to emulate them. A most gratifying outcome during this year has been the willingness of campus constituencies, including libraries and the faculty, to cooperate and collaborate in planning and implementing activities in support of these strategies.

b) The three-year library budget initiative (Michaels).

Meredith Michaels, Director of the Budget for Internal Coordination in the Office of the President, began by characterizing the University's budgetary prospects as in a state of transition accompanied by considerable uncertainty, and outlined the key dimensions of the shifting environment: the end of the existing four-year higher education budget compact with the Governor and the process of developing a new compact, the upcoming change of administration in Sacramento, and uncertainty about the rate of revenue growth (now anticipated to be in the 5-6% range). The proposed new compact, upon which the 1999-00 budget plan is based, provides for an annual base budget increase of 4% plus the incremental cost of approved enrollment increases, plus provision for needs (particularly large-scale multi-year initiatives) outside the scope of the compact, plus one-time funding (as was provided in 1998-99) when budgetary conditions permit.

The library budget initiative, in the terms of the proposed compact, is characterized as a large, multi-year initiative to meet significant needs outside the scope of the compact. The plan envisions a request for \$7.5 million in new permanent funding in each of the next three years. For the first year, 1999-00, the plan calls for \$4 million of this funding to be allocated for support of campus print collections, \$2.5 million for continued expansion of the California Digital Library collection as a resource shared by all the campuses, and \$1 million to support enhanced capabilities to share library resources located at the campuses. In addition, if the State's fiscal resources permit the University will request that the \$10 million provided for libraries in 1998-99 be continued in 1999-00. It is important to note that while the new funding this plan would provide is expected to arrest the deterioration in quality of campus collections, it is not sufficient to solve the underlying structural and financial problems described by Hawkins.

In response to questions from the Committee about the rationale for the size of the planned budget request, Lucier indicated that the \$4 million for print collections is based on an 8% increase in the current base budget for library materials. This proportion may not be sufficient to fully compensate for anticipated increases in the cost of library materials, but is about a fourfold increase over the CPI and roughly corresponds to recent increases at comparison institutions like Harvard and Yale, and is consistent with the LPAI Advisory Task Force recommendation that we should not automatically seek cost

increase monies at the level of actual inflation, but rather somewhat lower, in order not to send the wrong message to publishers. The \$2.5 million increase for the CDL was included in the initial planning for CDL implementation, and the \$1 million figure for resource sharing is based on the anticipated cost of implementing and supporting system improvements actually planned for 1998-99 and 1999-00. According to Michaels, the total request of \$7.5 million is an amount that the Budget Office feels is reasonable and achievable in the anticipated budget environment.

In response to a question from the Chair about the University's long-term thinking beyond the three-year initiative, Lucier noted that in the current environment of accelerating change, three years *is* long-term; some significant changes are already detectable (for example, some major scientific publishers are moderating their positions on pricing and allowable uses of their digital publications), and it is unclear just what circumstances we may face in four years. At the same time, the real issue before the committee is impacting the sustainability of scholarly communications and three years is a very short time to achieve real gains in this area. Tomlinson-Keasey concurs, and sees SLASIAC as a primary means of focusing long-term thinking in order to guide future budget strategies, chiefly by encouraging faculty to think about new ways of communicating.

Pursuant to the overall budget strategy described by Michaels, Lucier asked the Committee's advice about how new funding (including the \$4 million permanent funding for campus collections and, most particularly, any additional \$10 million one-time appropriations) should be allocated. A portion of the discussion focused on equitable methods of allocation by formula, including allocation by budgeted enrollment, by number of faculty (perhaps a more direct driver of library resource needs), and allocation to reimburse net lenders (campuses that lend to other campuses more than they borrow from them) as an incentive for resource sharing. During the discussion, it was observed that formulaic approaches may constrain resource sharing, which acts as a force for campus specialization; perhaps some of the money should be set aside as a contingency fund for special campus needs. One way to do this might be to allocate one-time funds to campuses for library start-up support for new academic programs. Although the coupling between academic program decisions and campus resource allocations for libraries is loose at best, the Committee felt this idea merited further exploration. In this connection, it was observed that, in an environment of digital collections and rapid intercampus requesting and delivery, collection specialization might conceivably be decoupled from campus academic specialization. It was also observed that a strategy of compensation to net lenders could send a problematic message. While "net-lending" campuses do not care to see resources flow away from them, net borrowing could be viewed as a measure of the relative impoverishment of a campus collection, suggesting that resources should be allocated to the net borrowers to strengthen their local collections and restore the balance of lending and borrowing flows. On the other hand, an attempt to "equalize" the lending/borrowing characteristics of campus collections could simply encourage duplication, rather than reinforcing specialization.

Werner reported that in the view of the University Librarians, the easiest and most equitable solution is to allocate all funds to campuses, but if a specific program were developed that had significant potential to benefit all campuses (the proverbial "killer application"), there would be support from the University Librarians for reserving "off the top" funding for this purpose. Kennel advocated that some funding for common activities should be part of any formula; there is a need to recognize both shared resources and services and real differences among the campuses. McCredie observed that it would be easier for the Committee to come to grips with this strategy if some candidate "killer apps" were described.

The Committee expressed its overall support for the three-year library budget strategy (see attached letter from the Chair to Provost King), and agreed that at a future meeting the Committee would be presented with an informal list of ideas for one-time off-the-top projects, programs, and "killer apps." The idea of funding for new program startups will be included in this list.

### **3. Shared Collections and Services**

#### **. Overview (Lucier)**

##### **i) Digital Collections (French)**

1. Collection Planning Process
2. Licensed Collections
3. Online Archive of California

French briefly reviewed the contents of the CDL collection described in more detail in the meeting packet, discussed the planning, implementation and continued expansion of the Science, Technology and Industry Collection (STIC), summarized plans to expand collection development into other topical areas with the advice of the newly-established Shared Collections Steering Committee, and described the CDL Collections Framework also included in the meeting packet. French reviewed the faculty consultation process for STIC development, leading to considerable discussion of methods to involve faculty in CDL collection development processes. French observed that needs and priorities for STIC seemed to be well understood and widely shared among faculty and librarians; as the CDL moves into other disciplines, there is less clarity about what digital development efforts are most needed and useful, leading the CDL to prefer a more exploratory and adaptable approach to defining needs and engaging the faculty. Partly by way of exemplifying some important non-journal resources, Lucier noted that two priorities that have emerged in discussions so far are government information resources ("government documents") in digital form and social science data archives. Lucier also noted that the CDL has so far been able to document significant cost avoidance, on the order of \$2 million dollars, from collective Universitywide licensing of digital resources by the CDL. French also provided an overview of the Online Archive of California, noting that the archive now contains about 2,500 archival finding aids describing approximately 60,000 pages of archival content. During the subsequent demonstration of the OAC, Schottlaender noted that the issues faced by the project as it expands include agreement

on technical standards for images, management of rights and permissions for image content, and questions about access by external users. Processes are in place to address these issues.

ii) Enhanced Resource Sharing

French provided an overview of the Patron-Initiated Requesting (PIR) project, noting that the overall goal of PIR, in conjunction with the recently-adopted Universitywide use of private overnight courier service to deliver requested library material between campuses, is to speed the processing and delivery of intercampus lending requests. Phase I of PIR will be introduced in January and run for up to one year. Phase II will introduce new features and services, as described in the materials in the meeting packet. Issues attendant on the implementation of PIR include the possibility of greatly increased transaction levels and library workload, the need for libraries to reallocate resources and reorganize internally in order to fully recapture PIR benefits, articulation of campus and intercampus loan policies (e.g., the effect of campus recall policies and procedures on PIR demand), and strategic directions for Phase II enhancements.

iii) Demonstration of CDL collections and services

2. The CDL Web site (Warling)
  3. Patron-Initiated Requested (French/Dearie)
  4. Online Archive of California (Schottlaender)

iv) Future strategies and directions (French)

With regard to intercampus loans, the committee felt that existing UC Libraries policies for faculty and graduate students (three weeks for materials that circulate on short-term loan on the lending campus, and three months otherwise) were satisfactory. Concern was expressed about differences in campus loan periods, and how these differences might affect faculty perception of PIR and other enhanced resource-sharing strategies. As background for possible future discussion, the Committee expressed an interest in seeing a comparative chart of existing campus loan policies (**Staff note:** this information is available at the URL <http://bob.ucsc.edu/library/science/access/ucborrow/>). The Committee's advice on directions for PIR Phase II development stressed the importance of extending the service to journals, and secondarily to additional UC constituencies including undergraduates, in preference to extending PIR capabilities to non-UC libraries. Faculty representatives observed that campuses already charge selected campus constituencies for certain specialized document delivery services, and that faculty, being less able to retain personal and departmental copies of frequently-used journals, would welcome and provide financial support for services that mitigated the consequences of increased reliance on centrally-housed journal issues. There was general support among the Committee for the idea that that the University should explore a multi-layered role for library users in financing the expansion of intercampus lending services and transactions, based on the concept of defined "premium" services for specific client groups, and with consideration of the advantages and disadvantages of standardizing pricing across the campuses, as well as the effects of such programs on constituencies less able to pay, e.g., graduate students, and the

possible reaction of publishers to a cost-recovery service of this kind. The Committee also encouraged the CDL to continue and expand its efforts to involve faculty in CDL collection development activities, and advised French on various means for accomplishing this, including use of faculty surveys like those employed in developing the STIC collection, and the convening of Universitywide faculty groups in the humanities and social sciences to explore these issues.

**b) Policy Issues (Lucier)**

- i) Incentives for resource sharing
- ii) Loan policies for intercampus lending
- iii) Allocation of funds to campuses
- iv) Uses of one-time funds

Lucier noted that these points had all been covered in the preceding discussion, and thanked the Committee for its advice on these issues.

**4. Strategic Partnerships and Alternative Methods of Scholarly Communication**

**a. Introduction (Lucier)**

Lucier noted that the purposes of this agenda item for today's meeting were to advise the University on the recommendations of the Copyright Task Force and to hold some discussion to help prepare for the Committee's February meeting, which would focus on this topic. Lucier reported that some progress had already been made in this area. The UCLA campus, with sponsorship from the CDL, has compiled a database of UC faculty who are editors of the top 2,000 research and scholarly journals (1,000 in science, technology and medical sciences, and 1,000 in the social sciences and humanities); Lucier noted that about 13 percent of the editors of this group of journals are UC faculty. This database will be used to organize a series of focus group meetings at the campus level to discuss scholarly communication and publishing issues. The first series of these is scheduled at UCLA on November 18 and 19, planning is underway for meetings at UCB, and preliminary explorations are taking place with the other campuses. In a parallel effort, Lucier is working with President Atkinson, who has expressed a keen interest in establishing UC leadership as a publisher of new digital scholarly communication formats. Pursuant to these discussions, Lucier is consulting with Highwire Press, the digital publishing venture of the Stanford University Libraries, and is exploring the creation of a consortium of leading research institutions that share UC's interest in this area and are willing to commit to a federated investment of institutional resources to move it forward. Institutions that have expressed interest in participating include Columbia, Cornell, Harvard and Yale Universities, the University of Michigan, and the Massachusetts Institute of Technology.

**b. Intellectual property issues**

- i. Report of the UC Copyright Task Force (Tomlinson-Keasey)

Tomlinson-Keasey led the Committee through a point-by-point review and discussion of the recommendations of the Task Force. The results of that discussion are incorporated in a letter from the committee Chair to Provost King, attached.

ii. Review of new copyright legislation and other issues outside the scope of the Task Force report (Samuelson)

Samuelson briefly described the recently-enacted Copyright Term Extension Act, noting that some consideration is being given to mounting a Constitutional challenge to be led by Lawrence Lessig of Harvard; Samuelson may encourage the University to file an amicus brief if this initiative moves forward. The subsequent discussion focused on the key elements of the recently-enacted Digital Millennium Copyright Act:

- **Copyright management.** Through these provisions, the alteration or removal of "copyright management" information included in a digital file in a manner that enables copyright infringement becomes itself a new form of copyright infringement. Uninformed users may innocently infringe in this manner, raising particular concerns about student liability.
- **Circumvention.** The DCMA makes it illegal to circumvent technical means of protecting a copyrighted digital work, or to manufacture and sell equipment that has circumvention as its primary purpose or effect. The law provides some specific exceptions of interest to the academic community, including computer security and encryption research and the academic "shopping" exemption that permits institutions to "browse" protected works solely to determine whether to purchase them. There is a two-year moratorium on this provision while the Librarian of Congress conducts a formal rulemaking to determine what permanent exemptions are required to protect the legitimate interests of users of copyrighted works. Samuelson encourages UC to become involved in this rulemaking process.
- **Internet Service Providers.** The DCMA provides some limited protections from liability for infringement for entities that provide internet services (including higher education institutions). These "safe harbor" provisions are available only if the institution meets stringent requirements for dealing with allegations of infringement involving their network or its users. These provisions are effective immediately and will require UC to take aggressive administrative action without delay in order to avoid potential liability.
- **Distance education.** The DCMA defers action on appropriate uses of copyrighted digital works in distance-education settings pending a legislatively-mandated study by the Register of Copyrights. Since the Register is not viewed as especially friendly to educational interests, it is important that UC closely monitor and seek to participate in this study in order to shape a favorable outcome.

c. Next steps -- Winter SLASIAC meeting (Lucier)

In thinking about the Winter meeting, Lucier believed that it might be useful to invite some guests representing successful alternative approaches to scholarly communication to discuss with the Committee their own strategies, experiences, and views toward the future; the Los Alamos Physics Preprint Server (the "Ginsparg server") and Stanford's Highwire Press are two examples. The Committee encouraged Lucier to pursue this. Lucier will also report on progress in the scholarly communications initiatives described earlier today. Additional suggestions from the Committee members are welcome at any time.

#### **5. Future meetings (Christ/Lucier)**

- a. Winter 1999 (February 11, 1999 at UCSD -- SIO): Scholarly Communication
- b. Spring 1999 (May 5, 1999, location TBD): External collaborations
- c. Fall 1999: Topic to be determined

There being no further discussion of the plans for future meetings, or other business to bring before the Committee, the Chair adjourned the meeting at 2:45 pm.

Attachments: [Christ to King, re: Library budget initiative](#)

[Christ to King, re: Copyright Task Force report](#)