

SCO conference call  
January 24, 2007

Attendees: Gail Persily (SF); Gail Yokote (D); Sharon Farb (LA); Brad Eden (SB); Susan Starr (SD); Lorelei Tanji (I); Beth Remak-Honnef (SC), John Ober (CDL)

Absent: Donald Barclay (M), Catherine Candee (CDL), Emily Stambaugh (R), Janet Carter (LAUC)

## 1. Review of copyright workshops

Persily reported on two library-sponsored workshops recently held at UCSF related to copyright. Each ran for around 2.5 hours. The first workshop, conducted by Kevin Souza, addressed issues related to fair use. It included a small group exercise in which participants reviewed a case related to course packs and tried to determine, using the 4 factors, whether copyright had been violated. The second session, led by Persily, addressed authors' rights. Larry Pitts attended and gave an update on UC discussions on this issue (see below). 20-25 people, largely faculty, attended each session. SF is considering how to make this information more widely available, perhaps through an online version. There were several questions related to derivative works.

**Action:** Persily will send PowerPoint to SCO.

Farb reported on a series of lunches LA is holding related to copyright, as a follow up to the large symposium held in fall 05. A post symposium survey revealed overwhelming interest in support for copyright issues. The library wanted a vehicle that could focus on a variety of issues, rather than trying to address all issues in one symposium. They have scheduled 4 lunches on 4 different topics; the topics were chosen because people in the library could either develop them by themselves or in partnership with other campus entities. January - author's rights (Farb and campus counsel); February on permissions (Farb and counsel); March - music as it relates to instruction (music librarian and a faculty member); April - data access policies and guidelines (data librarian). The Library is sponsoring the series along with the Academic Senate, Office of Intellectual Property Admin, IT policy group. The series was advertised only to faculty, and they will repeat the first one for the health sciences since there was so much interest there.

**Action:** LA will put materials they used (Powerpoint, handouts) on their website.  
<http://www2.library.ucla.edu/libraries/collectionmanagement.cfm>

## 2. Copyright

Ober updated SCO on the faculty copyright working group which has just completed its work. Ober & Pitts will be meeting with Provost Hume on Friday to report. They will be recommending broader discussion than might normally happen with routine policy changes. The working group will recommend that review be completed by the end of spring term '07 and, if approved, take effect with the start of the fall term. UCOL is poised to take a role in the review.

The proposed policy, to be known as UC's open access policy, will retain the original language to the effect that by policy faculty shall transfer a right to UC to post work to an open access repository. The working group is forwarding 3 options to implement the

"opt out" of the policy; the review process will determine which one will be implemented. Although the policy is being handled as a default that faculty shall follow or explicitly opt out, the working group chose not to suggest or pursue a legal framework that would enforce the policy. Among a number of implementation issues, the Task Force is also recommending that the University contact publishers and inform them of UC policy and ask them to change their agreements.

In addition to the policy, the working group has drafted a sample publication agreement addendum, combining elements from other addenda, that would enable faculty to comply with the policy and also includes language for faculty to retain other rights including rights for derivative works. OSC is ready to put up a FAQ on its web site and host a discussion forum for interested faculty. SCO members expressed some concerns at the proliferation of addenda and wondered if faculty are really using these addenda or just modifying publisher agreements.

**Action:** Ober will be in touch to arrange campus library visits to talk about these and other activities.

**Action:** Phillips and Ober will confer on ways to assist SCO members in educating their library colleagues on the new policy.

**Action:** Ober will share "sample addendum" with SCO and try to compare it to other addenda using the table developed by Hirtle in his DLib article.

**Action:** Ober will send out relevant results from the most recent survey of faculty on issues related to copyright.

### 3. Communication Plan: next steps

**Action:** Starr will report to SOPAG that SCO will be concentrating on educating librarians with respect to the proposed faculty "open access" policy and supporting Academic Senate discussion of same.

**Action:** Remak-Honnef will monitor reintroduction of FRPAA into Congress, expected some time this spring. SCO scholarly society subgroup will discuss how we can communicate issues to the campuses.

### 4. Issues from CDC

SCO may need to take action to publicize UC issues related to the cost and lack of perpetual access for Nature publications to faculty.

CDC has charged a small group to follow up on issues raised in previous conference call re PLoS. Margaret Phillips will join to represent SCO.