

Systemwide Library and Scholarly Information Advisory Committee

October 23, 2012, 10:00 a.m. - 3:00 p.m.

1111 Franklin Street, Room 11326

Oakland, CA

Attending: Mark Aldenderfer, Mario Biagioli, Sandra Brown, Susan Carlson, David Ernst, Laine Farley, Robin Garrell, Rita Hao, Bill Jacob, Cynthia Johnson, Chris Kelty (via phone), Gene Lucas, Laurie Monahan (via phone), Alison Mudditt, Debbie Obley (for Budget Report), Jim Phillips, Rich Schneider, Pete Siegel, Ginny Steel, Gary Strong, Janna Tom (substitute for Wendy Streitz)

Guests: Trisha Cruse (CDL), Keith Williams (UCOE)

Absent: AnnaLee Saxenian, Wendy Streitz

Meeting Notes

Introductions and review of the purpose of the committee

Gene Lucas welcomed the group, including six of the seven new members of the committee.

UC Open Access Policy update

Chris Kelty (UCOLASC chair) joined the meeting by phone from UCLA. He provided some background on the proposed systemwide UC Open Access policy to get the new (and continuing) SLASIAC members up to date. The policy's text was drafted with input from several Academic Senate committees.

In July, the Academic Council recommended accepting the proposed policy and sent it out for systemwide review to all of the campuses and their local committees. The deadline for review is January 11, 2013. The Academic Senate will most likely consider the comments received during the review at its meeting in late January, and then it may ask the Academic Assembly to vote on the policy at some point after that.

Chris is encountering very little opposition to the proposed policy at UCLA, but also said that three items continue to emerge in discussions with faculty:

1. Academic freedom – what/where/how to publish, and how the policy might affect young scholars.

Answer: There's an opt-out option for anyone who doesn't want to (or cannot) abide by the terms of the policy.

2. Concern about the fragile financial state of some scholarly societies, whose revenue often comes from their publications.

Answer: Whether or not the policy passes, small scholarly societies still face an unstable future. (And, there are ways to support the societies with open access fees.) Small publishers may also use the opt-out clause to protect themselves.

3. Implementation – can CDL handle, and how much work will it be for faculty?

Answer: It is possible for CDL to handle the implementation, and for faculty to submit articles without too much additional work, but the implementation might not be 100%. Additional resources will be needed to scale up and minimize what faculty need to provide.

Rich Schneider talked about the implementation of UCSF's open access policy, which was passed unanimously in May. UCSF decided to adopt a policy before the vote on a systemwide version because, a.) they were ready to move forward, and b.) UCSF could demonstrate on a smaller scale that it could be done, and they were prepared to test the implementation and compliance issues.

The two parts to the UCSF policy are the license agreement and the deposit requirement. Rich noted that the policy is a *faculty* policy that has support from the libraries. Unlike the initial attempt to pass a systemwide open access policy a few years ago, this one is *by the faculty for the faculty*, and is meant to address faculty concerns; it is a grass-roots effort.

Rich showed slides of the implementation web pages, which were designed by eScholarship at the CDL. When the policy was enacted, UCSF sent notices to publishers to alert them of the pre-existing, non-exclusive, non-commercial license that all of its authors automatically have with UC. This pro-active method of alerting publishers enables authors to comply with the policy without having to negotiate individual publishing agreements. A few publishers have come back requesting waivers and/or embargoes. Rich demonstrated how this process is automated and what it looks like. There have been 94 waiver requests since the policy was passed in May. UCSF scholars publish approximately 4,500 articles per year, so waivers affect about 5% of publications.

Rich, Chris, and the eScholarship team would appreciate any guidance that SLASAC members have to offer to help simplify the implementation requirement of the OA policy. Automated article deposit is one way, but it requires additional resources. SLASAC could write a letter to UC administration expressing the committee's support. It was suggested that CDL put together a proposal for resources needed by eScholarship to fully implement a systemwide open access policy, and submit it for review to the SLASAC Subcommittee on Library Planning and Budgets. Campus libraries will also have resource impacts, as they are expected to help implement the policy locally by answering questions and helping with deposit and metadata creation. The libraries may also be expected to provide metrics on citations and/or usage of deposited articles. eScholarship can provide data for its deposits¹, but the proposed policy allows articles to be deposited into any open access repository. It is unclear how data on the implementation of the policy would be gathered, but eScholarship is exploring a software product from Symplectic that could help in this regard.

¹ E.g., <http://escholarship.org/uc/item/13w7m06g> - click on "Document Metrics" to see an example of eScholarship's usage statistics.

Chris noted that the policy may have opened the doors to more negotiation with publishers around issues such as price and embargo period for non-OA articles. Publishers may even be able to help with implementation, such as depositing articles in open access repositories. In response to a question about waiver requests, Chris said that sometimes it is only minor details that need to be worked out with publishers, and the policy can still be complied with.

Other issues raised in the question-and-answer period included the Creative Commons license language for re-use of works. Chris said that the default to comply with the policy is the most liberal CC license, but authors can choose one that is more restrictive. Another issue is that of previously licensed material, such as limited license images included in art history papers. In terms of implementation, Chris envisions that there could be a box to check for whether your work contains limited license material. The work could then be kept in a “dark” archive. It may be a secondary benefit of this policy that it illuminates the restrictive license agreements that scholars are faced with. More aggressive exercising of fair use rights and better license negotiation stances may result.

Skeptics point to the additional work mandated by the policy, question whether anyone would look in a repository for an article (and the supposed increase in citations), and doubt whether the libraries will actually stop subscribing to expensive journals. Responses to these doubts include: studies have shown an increase in citations for open access articles²; readers don’t have to look in a specific repository since repositories can be inter-operable and surface their content in search engines such as Google Scholar; and, even if libraries don’t cancel high-end journals, the policy puts them in a stronger negotiating position.

Rich hopes that that the policy will first and foremost change the conversation between authors and publishers (and libraries). He cautions not to get too bogged down in the details, but focus on the larger benefits to scholarship. The implementation can be adapted over time to make it work better.

Action: CDL will put together a proposal for resources needed by CDL and eScholarship to implement a systemwide open access policy, and submit it for review to the SLASAC Subcommittee on Library Planning and Budgets. The analysis will include any potential resources campus libraries might require.

UCOP budget update (Debora Obley, UCOP Budget Office)

The Budget Office is working on 2013-14 budget request with the assumption that Proposition 30 passes and Governor Brown keeps his word to provide a multi-year agreement with UC for a 6 percent per year increase in state funding. That includes 2 percent for employer contributions to the UC’s retirement fund. In return, UC has agreed to keep tuition increases less than or equal to 6 percent per year. Debbie described in general the many options and alternative strategies for revenue that are being negotiated with the regents. Slides from the September Regents’ presentation, which presents the various options, can be found online at: (<http://regents.universityofcalifornia.edu/regmeet/sept12/retreatppt.pdf>).

Debbie listed the University’s five core areas for re-investment:

² http://escholarship.org/about_open_access.html - see “Citation Rates & Open Access.”

- Closing the salary gap for faculty and staff
- Lowering the student/faculty ratio
- Attracting graduate students
- Investment in core academic instruction and support (IT, libraries, etc.)
- Building maintenance

UC's investments do not directly impact the day-to-day operations of the University, although if the investment funds do well, it takes some pressure off the core funds. If Proposition 30 does not pass, UC faces an immediate decrease in funding of \$500 million. Proposition 38, the alternative tax revenue initiative, does not provide any funding for UC, and even if 30 passes, if 38 has more votes, the trigger cuts go into effect.

UC Libraries' latest "Plan and Priorities" document

Ginny Steel gave some background on the SLASIAC Library Planning Task Force (2010-11) and resulting Final Report, which recommended that SLASIAC "review and advise on plans, project and budget proposals, and assessments" of the libraries. SLASIAC reviewed the more detailed, "internal" version of the UC Libraries "Plans and Priorities" document. A version of the document with less detail on specific initiatives will appear on the UC Libraries' website.

When looking at the document, which is crafted annually by the Council of University Librarians, it is important to keep in mind that all of the ULs maintain a balance between the needs of their individual campuses and their systemwide, collaborative efforts.

Ginny highlighted the key points:

- Maintain strong print collections, but increase access to digital resources (including digitizing library collections)
- Take advantage of digital preservation opportunities offered by national and international initiatives
- Adapt library services by working closely with faculty and students.
- Keep up with evolving staff needs and expertise

Library collaboration has a long tradition within UC. The University Librarians meet monthly (usually via conference call) as the Council of University Librarians (CoUL) and part of the meeting is dedicated to finding out what is happening on the individual campuses. There is a supporting structure of operational groups that plan and implement library strategies. Dozens of library staff members may be working on systemwide initiatives at any given time. CoUL has met with its IT counterpart, the Information Technology Leadership Council (ITLC), and has plans to find common interests and collaborate more in the future.

It was noted that campus Committees on Library might find it useful to have a better understanding of what the UC libraries are working on together, so that they can more effectively advocate for their libraries.

Regarding the goals around scholarly communication, even though many faculty are well-versed in the issues, there are new hires each year and not 100 percent penetration. Faculty show up every semester for scholarly communication workshops put on by the libraries.

CDL annual report presentation

Laine Farley's [slide presentation](#) highlighted key elements of the CDL's 2011-12 Annual Report. The CDL's goals for the 2011-12 year were to support the Next Generation initiatives and recommendations of the SLASIAC Library Planning Task Force, support the UC scholarly research and teaching lifecycle, provide leadership in digital library development and service adoption, and diversify funding sources and extend efficiencies. For 2012-13, the strategic themes are:

- Advance the transformation in scholarly communication
- Enable a holistic approach to managing the information life cycle
- Adopt a strategic CDL financial plan focused on efficiency and value

Laine talked briefly about the outcome of the HathiTrust lawsuit, which was decided earlier this month in favor of the defendants (one of whom was the University of California). More information about that suit can be found online (<http://www.infodocket.com/2012/10/10/judge-rules-on-authors-guild-v-hathitrust/>). She also provided information about eScholarship's successful platform transition from the commercial bepress to the open source Open Journals System.

Gary Strong noted that the campus libraries are able to keep their costs for electronic resources low thanks to the collective purchasing based on campus co-investment. Comparisons to peer Universities can be seen in the statistics reported by the Association of Research Libraries. The UC libraries pool their financial resources with additional contribution from the CDL to license and purchase digital content. As a result, UC libraries are able to devote more of their collections budgets to digital resources for local programs and to print.

E-research and data curation: engaging with other sectors of the University

See Trisha Cruse's [slide presentation](#). Trisha introduced the topic of data preservation and curation by noting that it had become more common for grant funding requirements to include not only publications, but also data sets, software, and other research outputs. Libraries are at the nexus of the research enterprise and have long been responsible for preserving scholarly resources. Libraries serve all aspects of the "research lifecycle," and have the technology and experience to implement data preservation programs. At UC, the CDL works in conjunction with the campus libraries to bring data services to researchers and scholars.

Committee members were impressed by the tools offered by CDL, and thought they should be more widely publicized. Suggestions for greater visibility included putting information about the tools and services at the point of the grant request, and working with offices of research, compliance, and animal safety, and informing research committees. It was also suggested that deans, provosts, and other

decision-makers should encourage data preservation by giving credit and incentives for doing so. Merritt (et. al.) should be the default data preservation and curation mechanism for UC.

Trisha noted that storage – and management of data – is not free, but no entity has stood up to claim responsibility for managing data. Possible funders include the government, research funding agencies, Universities, and other institutions. Various payment options and cost models are being explored, but there is not yet a definitive UC strategy.

UC Online Education and implications for the libraries

Keith Williams, the Interim Director of Online Education, was a guest for this agenda item. He went over [a handout](#) and described the program so far. In short, the systemwide program is still waiting for final approval, but campus online offerings started in spring, 2012. UCOE currently has 35 courses in various stages of development. The courses that have been taught have received good reviews, and although there have been some technical difficulties, students seem to appreciate the benefits that the online environment provides. As the handout illustrates, features of the system include online chat, a whiteboard, slides, instructor video, and file downloading, all easily available on the screen.

Conversation turned to ownership concerns, which has been an issue since the initiation of the pilot program two years ago. The license agreement signed by instructors complies with the University's copyright policies, but adds a non-exclusive license for the University to publish and make modifications to courses. Faculty have voiced concerns, which have been forwarded to the Senate Committee on Faculty Welfare. The University, on the other hand, has made an investment in the course and needs the ability to offer it even if the faculty member who created it leaves UC.

The main concern from the libraries is how to serve the non-matriculated students that will be enrolling in UC online courses. The libraries license materials to be available to UC students, which brings up technical, legal, and funding issues if non-UC students attempt to access the licensed content. In addition, the libraries anticipate extra workload if called upon to provide access services to the students. The same issues apply to summer session and extension students. While there is no simple answer right now, Keith Williams and other believe that the online program is progressing at a pace that gives the University time to figure out solutions.

Copyright Issues

Rita Hao and Jim Phillips provided a brief overview of some of the copyright issues that have come up relating to the academic mission of the University. As chair of the Educational Technology Leadership Group (ETLG), Jim is concerned with supporting faculty needs for teaching and instructional content.

SLASIAC members suggested finding out who provides assistance with academic copyright related matters on each campus. These people could be used to pool resources about best practices, and to find out what issues are coming up most often. Many are concerned about inconsistencies between intellectual property policies and guidelines. The librarians on the committee said that they need assistance with specific issues such as gifts to the libraries and managing material "owned" by the UC Regents. Everyone seemed to agree that clearer guidelines, particularly in the areas of fair use and

permissions, would be ideal. Rita Hao said that intellectual property is a high priority for the Office of General Counsel right now, and they are currently hiring a second IP attorney. She also wants to provide increased copyright service to the campuses, and offered to be a direct resource for questions and issues that come up.

The SLASIAC Standing Subcommittee on Copyright Policy will address the copyright issues via email, and will meet on Nov. 29. The Subcommittee will report back to SLASIAC at its next meeting.