

Committee on the Library Resolutions on Scholarly Publishing

To the Academic Senate, Santa Cruz Division:

A great change in scholarly communication is underway. The growth of online, open access publishing brings the promise of better, faster and more open research and stronger links between research, teaching and the community. Fiat Lux, the motto of our university, is an appropriate goal for the changes that have begun.

The challenge for scholarly publishing

Two years ago the UCSC Senate made a significant contribution to negotiations between the UC system and the largest publisher of online journals, Elsevier. We passed a resolution threatening that senior faculty would refuse to submit papers to, refuse to review papers for, and resign from the boards of Elsevier journals if a reasonable contract for UC access could not be concluded. Partly as a result of that resolution, Elsevier agreed to a contract which was several million dollars less than they had initially demanded.

While that victory resolved an immediate crisis, the longer-term challenge for scholarly publication remains. The business models for both journal and monograph publication are not sustainable.

Journals: At present, many faculty give exclusive copyright on their papers to publishers who then charge large, and rapidly rising, fees to our libraries to allow faculty and students to make use of those papers. This system poses a threat to our libraries and a constraint on the availability of our scholarly work. To the extent that publication in prestige journals is used as a mark of scholarly achievement, we have also made the process of academic personnel review a hostage held by commercial publishers.

Monographs: At the same time, the market for monographs has been rapidly shrinking in recent years. An important driver of market shrinkage has been rising expenditure on online journal access. Libraries are forced to buy fewer monographs and, in response, publishers are producing ever smaller numbers of titles. This presents an unacceptable constraint for those disciplines where monograph publication is the principal or only viable means of scholarly communication and an important mark of academic achievement.

The bottom line is that universities are paying more for a declining portion of scholarly knowledge.

Collective action building on the work of others

Throughout the UC system and in many other universities initiatives are being taken to address this threat to scholarly publishing. A set of resolutions (summarized in the attached document from UCOP) has been passed by the Senates of several UC divisions, by the UC systemwide Senate, and by a range of other universities. The Special Committee of the UC Academic Senate on Scholarly

Communication has been examining the issues over the last year. The UC Office of Scholarly Communication (OSC) has been undertaking research and analysis on a range of issues. The University of California libraries have made changing the economics of scholarly publishing one of the five aims that collectively anchor their systemwide strategic development. At UCSC, the Committees on the Library and on Research have been discussing ways to make progress on these issues. Earlier this month the two committees jointly sponsored a UCSC Senate Forum addressed by Daniel Greenstein, Associate Vice President & University Librarian, California Digital Library (CDL), and Vivian Segal, Executive Editor of Public Library of Science (PLoS).

This resolution seeks to consolidate best practice emerging from these different sources and to identify solutions where the faculty can act collectively rather than individually. In the spirit of our divisional aspiration of ‘thinking at the edge,’ the resolution proposes four initiatives which will take the discussion and scholarly communication forward.

The most difficult and possibly contentious of these initiatives concerns our proposal that the UCSC Senate work with others to examine how best to assert a collective right which can be used to limit publishers claims to ownership of our work. As preface to this initiative we quote the UC Academic Senate resolution coming out of the work of the UC Provost's Systemwide Library and Scholarly Information Advisory Committee (SLASIAC) which ‘calls upon the University's faculty to continue and extend their efforts to:

- seize every opportunity to regain control of and maximize the impact of their scholarly communication;
- manage their intellectual property in ways that allow retention of critical rights, in order to ensure the widest dissemination of UC's scholarship and its unfettered use within the University to support teaching and research.’

In support of these objectives, we propose that the UCSC Senate examine how to assert a collective right of open dissemination. This non-exclusive right could enlarge the options for, and bargaining power of, faculty in the face of publishers wanting to sustain their highly profitable uses of our work.

Thinking at the edge: four initiatives

In this resolution, the Committee on the Library proposes four initiatives. The first initiative sets guidelines for periodic negotiations of contracts for access to online journals. We propose that all systemwide negotiations where the publisher seeks a price increase significantly above the prevailing rate of inflation should be referred to the UC Academic Senate's Committee on the Library (UCOL) for comment. The second initiative concerns academic promotion and the review of scholarly work. We ask the UCSC Senate to establish a task force, including past chairs of CAP, to find ways to circumvent the stranglehold publishers exert on academic evaluation through their ownership of prestige journals and their control of the peer review process of those journals. The third initiative concerns copyright. We ask that the UCSC Senate work with the systemwide Senate and the UC administration to develop legal and administrative procedures establishing a collective right for the distribution of faculty work that would assist the retention of copyright. The fourth

initiative tasks the UCSC administration to explore their responsibilities for the stewardship and the support of new forms of publication and performance.

The Committee on Research supports the goals of this resolution:

The Committee on Research strongly supports the goals of the Resolution on Scholarly Publishing. The four points it addresses are of critical importance to the future of production, dissemination, and archiving of faculty research at UCSC. We urge the Academic Senate to debate the issues raised by this resolution, and to move expeditiously to effective action.

Resolutions

We resolve the following:

1. Prices for online access to journals. The UCSC Senate proposes the following principle be conveyed to UC negotiators to use in their negotiations with journal publishers. Where publishers submit systemwide contracts for access to online content with prices which exceed the consumer price index by more than 1.5% in any one year then that contract should be referred to the Committee on the Library of the UC Academic Senate (UCOL) for comment.

Justification: We support the UC Libraries' efforts to curtail unsustainable pricing for access to scholarly information. This resolution supports UC's California Digital Library (CDL) negotiations with journal publishers by providing an automatic referral to faculty of all those contracts which substantially exceed the prevailing rate of inflation. The margin above inflation that triggers referral to UCOL should be reviewed periodically by UCOL and CDL's Director of Licensed Content, particularly when there are significant changes in the rate of inflation or in library budgets.

2. Academic promotion and the evaluation of scholarly work. We propose that the UCSC Senate establish a task force including former chairs of CAP to explore ways to meet the challenge of academic evaluation in an era when publication and performance possibilities are changing.

Justification: The intertwining of the evaluation of scholarly work with the authority of particular publication and performance outlets raises difficult issues which the academic community cannot expect the various committees and individuals concerned with academic evaluation and promotion (including the Committee on Academic Personnel, Ad Hoc Committees and search committees, Deans, Departmental Chairs and others) to solve without collective guidance. It is hard for academic evaluations to avoid using the prestige of particular outlets, from journals to performance venues, as a metric for quality. By so doing, however, the power of some publishers and some performance venues, and their ability to charge high and rising prices, is maintained. This resolution proposes that an appropriate group of faculty be asked to find ways of circumventing this problem.

3. We assert a collective right to make our work widely available. We propose that the UCSC Academic Senate, in collaboration with the UC Academic Senate and the UC Administration, take urgent steps to explore the restructuring of the University's copyright policy to assert a collective right, under the direction of individual faculty, to distribute faculty work for research and teaching.

Justification: Our intention is that scholarly work would remain the property of individual faculty, but faculty members would no longer have to struggle individually with publishers to retain the right to disseminate their work. This collective assertion of rights by the UC Academic Senate would provide backing for the free flow of information as the foundation of intellectual innovation. Toward this end we ask the Senate to work with appropriate committees and the UCSC administration so that a resolution can be brought to Senate in Fall, 2005 detailing the administrative processes and legal formulations through which this collective right can be established.

4. University stewardship of all forms of publishing. We propose the UCSC administration explore the establishment of an Office of Scholarly Communication or similar administrative unit to take responsibility for the persistent stewardship of all forms of scholarly communication.

Justification: This resolution tasks the UCSC administration to take responsibility for ensuring the persistent availability of university scholarship regardless of its form. New forms of academic publishing, from web pages to online data sets to online performance, are adding new opportunities for teaching, for the dissemination of scholarly work, and for artistic expression. These new forms have no steward and the task of ensuring their persistence is daunting. With this resolution, the Senate asks the administration to examine what arrangements will enable the challenge to be explored and met. As in other parts of this resolution, Senate expects that this university rise to the challenge of thinking at the edge.

Respectfully submitted,

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