

**Committee on the Library**  
**Report on Senate Resolutions on Scholarly Publishing**

To the Academic Senate, Santa Cruz Division:

To address a number of concerns regarding the state of scholarly publishing, in the spring of 2005 the Santa Cruz Division of the UC Academic Senate passed four resolutions addressing key issues in scholarly communication. The Committee on the Library (COL) was charged with their implementation.

Recently the systemwide Special Committee on Scholarly Communication (SCSC) submitted a series of five draft white papers and a policy proposal regarding scholarly communication (<http://www.universityofcalifornia.edu/senate/committees/scsc/reports.html> ). These papers touch on many of the issues in the Santa Cruz resolutions and we are pleased that this important subject is receiving attention at the systemwide level.

COL's progress in implementing the Senate Resolutions passed in 2005 is outlined below.

At its May 2005 meeting, the UCSC Division Academic Senate resolved:

*1. To propose 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.*

Toward this goal, our committee informed the systemwide Library committee (UCOL) of our resolution. We also conveyed that this was a particularly urgent issue at UCSC and that we were forced to cancel 152 journal subscriptions last year. We should point out that communication with UCOL has been greatly facilitated by the fact that Ben Crow, former chair of the COL at Santa Cruz, is the current chair of UCOL. Ben played a significant role in drafting the 2004 UCSC Senate Resolutions. In addition, the current COL Chair, Bill Sullivan, is a member of UCOL and therefore is able to directly communicate the views of the UCSC Senate on this issue.

One of the draft white papers produced by SCSC is titled "The Case of Journal Publishing" and calls for journal publishers to follow a number of ideal journal publishing practices. These include: seeking only copyrights necessary for first publication, avoiding monopolistic pricing, providing transparent financial information, and enabling the maintenance of a persistent scholarly record. Our committee supports the steps outlined in this white paper.

Our committee is of the opinion that the issue of pricing is especially critical. Therefore both in a written statement and verbally at the UCOL meeting, we made it clear that most of our combined efforts should focus on journal subscription rates.

*2. To 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.*

At the request of COL, the Senate Executive Committee passed COL's draft charge to the Committee on Committees to staff a task force for the 2006-07 academic year.

*3. To 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.*

This has been a particularly difficult issue for COL to address. The legal issues surrounding copyright are beyond the expertise of the Committee. The Committee has encouraged exploration of this issue at the systemwide level and read, discussed, and provided feedback on the related SCSC white paper.

The Special Committee on Scholarly Communication produced a draft white paper titled "The Case of Scholars' Management of Their Copyright." That paper suggests that publishers seek only copyrights necessary for first publication of the work, and that faculty retain or share other rights, including the right for classroom use, non-profit distribution following first publication, and the right for archival preservation by a University entity. To add value and make an economic return, publishers do not need full transfer of copyright ownership, as is current practice. Most business needs can be met by securing an exclusive right of first commercial publication, with requests for other rights such as foreign distribution and reprinting, made when and as necessary. Authors and their institutions then retain and take advantage of other copyrights as needed for research, teaching, content management, and continued influence.

Although COL agrees with the spirit of SCSC's white paper on copyright, we have some reservations about the accompanying proposed Scholarly Work Copyright Rights Policy. That policy has the faculty granting the Regents a "limited, irrevocable, perpetual, worldwide, non-exclusive license to place the faculty member's work in a non-commercial open-access on-line repository." Although there is an opt-out clause, COL is concerned that faculty may be placed in untenable positions with respect to conflicting publisher and UC copyright policies. No one on our committee has experience or training in this area, and we have forwarded this concern in writing to the UCOL. We suggested soliciting expert legal advice before a formal policy is put forth. We also expressed this concern in a conference call with UCOL. At the conclusion of the call, the consensus was that UCOL will obtain expert advice from copyright lawyers and the white paper and proposed policy will be appropriately modified.

Currently UCSC and UC Merced are the only campuses that are not members of the Association of Research Libraries. Among the many advantages of membership is access to legal advice concerning copyright issues.

*4. That 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.*

To accomplish this, COL proposes the establishment of liaisons between each department and the library. The liaisons would communicate the existence and relevance of open access venues as well as advising librarians on collections relevant to their discipline. We estimate that these appointments would incur a modest commitment (~ 2 hours/quarter). COL proposes that each department appoint a faculty member as their library liaison. In February, COL sent a letter to every department chair requesting that they appoint a faculty member by April 15, 2006.

The appointment of liaisons is just the first step toward meeting the spirit of this resolution. COL will also encourage the UC libraries to purchase the smaller name journals in order to support them for fields where the journals are not as available electronically as for others.

In addition, we are exploring the possibility of altering the charge of COL so that it explicitly includes scholarly communication. As suggested by UCOL, this may involve changing the name of the committee to "The Committee on Libraries and Scholarly Communication." This is still under discussion as it would entail a significant increase in workload for the committee.

Respectfully submitted,

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