The Committee on Academic Computing and Information Technology recognizes the value of open-access publishing, especially for disseminating the results of publicly funded research, and we support it in principle. However, we have serious concerns about the specific implementation proposed here and its potential impacts on scholarly publishing at the University of California (UC). This open-access policy proposal provides no clear analysis of the short- and long-term potential outcomes or consequences (both intentional and unintentional). Furthermore, based on the supporting documentation, the open-access policy appears to increase costs to the university, contrary to its stated goal of reducing costs. More careful analysis of the financial implications of the proposed policy must be provided. Specifically, the following issues need to be addressed:

1) What are the costs of implementing this policy and who will bear them? Scholarly publishing costs must be paid either by the publishers and recovered through subscription fees or paid by the authors. Publishing fees in major open-access journals are currently several thousand dollars per article, which corresponds to tens of thousands of dollars in publication costs per year for a typical research group in the sciences or engineering, for instance. Because total grant award amounts are typically fixed by the field and funding agency, open-access publication costs to faculty come at the expense of other valued uses for grant money, such as supporting graduate students. Career success for individual faculty and the overall stature of UC are strongly correlated with publication rates, and any policy that hinders publication by shifting significant new costs onto the faculty is unacceptable. In such an environment, the well-funded would continue to succeed, while those with less funding (even temporarily) would find it harder to publish and would rapidly lose competitiveness for future funding opportunities.

2) How will the proposal affect the availability of scholarly materials in UC libraries? The proposed open-access policy seems likely to increase library costs and decrease our overall access to scholarly publications, all while providing questionable benefits to UC. As stated in the supporting documents (pp 32-34), library costs associated with supporting the open-access policy will likely lead to cancellation of existing subscriptions. Furthermore, because publishers control access to older publications and
any future publications that are not published through open access, they can continue to charge high subscription rates to libraries and prevent the hypothetical library cost savings. A fragmented open access policy will not generate the desired savings.

3) How will the proposal impact faculty relationships with journals and with collaborators at other institutions? How does the proposed policy relate to the existing publishing copyright agreements used by major academic societies such as the American Institute of Physics, the American Chemical Society, the Institute of Electrical and Electronics Engineers, the Materials Research society, etc (see attached)? Have these publishing organizations, which account for a significant fraction of publishing and which are typically not-for-profit, been consulted in this process? Will the policy have any editorial impact on whether UC works are accepted for publication in non-open-access journals? In practice, will faculty effectively be forced to issue waivers routinely, leading to additional workload for faculty in terms of managing the waivers without appreciable gains in open access? What will the policy be for collaborative works involving co-authors whose institutions do not adopt such open access policies?

4) What guidelines will govern the deposition of works into eScholarship? Who will monitor whether works are deposited? How soon do they need to be deposited, and in what formats (PDF, Microsoft Word, or LaTeX)? Will deposition of files into eScholarship be a factor for consideration in merit and promotion cases? When a paper is accessed through eScholarship, which version should be cited?

Without clarification on these issues, faculty cannot make a well-informed decision on the true merits of the open access proposal.

Overall, a policy that does not compromise between the desires for open access the needs of publishers is unlikely to be successful. We believe that any UC open access initiative must be reached in agreement with major publishers. A reasonable compromise policy might allow publishers to have exclusive rights (unless individual authors choose to pay open access costs) for a short period of time, followed by guaranteed open access, as in the current open-access-after-12-months policy of the NIH. Aligning the UC policy with the NIH would automatically provide federal support for our position, and could help avoid the fragmentation of open access policies.
November 27, 2012

TO: Jose Wudka, Chair
    Riverside Division Academic Senate

FR: Thomas Morton, Chair
    Committee on Academic Freedom

RE: Proposed Open Access Policy

UCR's Committee on Academic Freedom (CAF) discussed the proposed Open Access policy at its meeting on 15 November, and some members were able to attend the information sessions on 21 November.

One of CAF's major concerns is the disproportionate burden placed upon some academic disciplines relative to others, with regard to the obligations implied by the policy. On the one hand, the proposed policy offers a repository of an author's work, should the journal become defunct or otherwise unavailable electronically. On the other hand, it mandates additional effort on the part of scholars to ensure transmission of an unpublished draft of each manuscript to the California Digital Library (CDL). Moreover, the consequences of noncompliance are not specified, which might themselves impact upon academic freedom.

Consider the following formulation of a policy (not the proposed one), which would impose a minimal burden. An author would transmit the DOI of a manuscript to the CDL, and the CDL would take care of all aspects of negotiating with the publisher, archiving, and deciding whether it could be made available online. Such a policy would address many of CAF's concerns.

The proposed policy, by contrast, requires that authors bear responsibility for transmitting a copy of the accepted manuscript. In many cases, the published version differs from the accepted manuscript, in terms of layout, graphics, notes added in proof, etc.

The proposed policy seems designed to coincide with some publishers' current guidelines, as exemplified by those promulgated by the American Chemical Society (ACS), excerpts attached. In this regard, CAF hopes that the prestige of the University of California can induce publishers to permit posting of articles published online (rather than manuscripts accepted for publication) after a suitable time interval.
Authors also may reuse the Submitted, Accepted, or Published work in printed collections that consist solely of the Author's own writings; if such collections are to be posted online or published in an electronic format, please contact ACS at copyright@acs.org to inquire about terms for licensed electronic use.

Posting Accepted and Published Works on Websites and Repositories: A digital file of the Accepted Work and/or the Published Work may be made publicly available on websites or repositories (e.g. the Author's personal website, preprint servers, university networks or primary employer's institutional websites, third party institutional or subject-based repositories, and conference websites that feature presentations by the Author(s) based on the Accepted and/or the Published Work) under the following conditions:

It is mandated by the Author(s)' funding agency, primary employer, or, in the case of Author(s) employed in academia, university administration.

For mandates from non-governmental institutions (e.g. universities, private sector corporations, non-governmental organizations, etc.), the Author(s) have received written confirmation (via letter or email) from the appropriate ACS journal editor that the posting does not conflict with journal prior publication policies (see http://pubs.acs.org/page/policy/prior/index.html).

If the mandated public availability of the Accepted Manuscript is sooner than 12 months after online publication of the Published Work, a waiver from the relevant institutional policy should be sought.

If the mandated public availability of the Accepted Manuscript is not sooner than 12 months after online publication of the Published Work, the Accepted Manuscript may be posted to the mandated website or repository. The following notice should be included at the time of posting, or the posting amended as appropriate:

"This document is the Accepted Manuscript version of a Published Work that appeared in final form in [JournalTitle], copyright © American Chemical Society after peer review and technical editing by the publisher. To access the final edited and published work see [insert ACS Articles on Request author-directed link to Published Work, see http://pubs.acs.org/page/policy/articlesonrequest/index.html]."
November 26, 2012

To: Jose Wudka, Chair
    Riverside Division of the Academic Senate

From: Sarjeet Gill, Chair
       Committee on Academic Personnel

Re: Proposed Open Access Policy

The Riverside Division CAP discussed the new policy. CAP understands its intent in creating open access as the ‘default’ mode of publication for faculty research articles. There are desirable aspects of the proposal, in particular in its universality, which correspondingly requires at least some accommodation from the major publishers. For many faculty already required by funding agencies to deposit final manuscripts in an archive, implementation should be a minimal burden. The availability of the eScholarship archive at UC as an additional outlet for those who do not already use PubMedCentral, and its specific tailoring to needs for both specialized publishing agreements and opt-out elections, is very desirable.

The fact that the policy has an absolute requirement for deposit of the final edited version of all manuscripts, with no opt-out available, raises many questions, some of which are outside CAP’s purview. CAP fails to see the purpose of the requirement to deposit when the opt-out of the license is available. We are also concerned whether the academic personnel process will be responsible for enforcing the deposit requirement, and if so, which phase of it (the Senate? administration?). CAP would not want enforcement added to its duties, or for deposition / licensing to be considered in merits, promotion and tenure cases. The deposit requirement (as of the date of publication) is more restrictive than the NIH/PubMedCentral policy (which provides a 3-month grace period) and should be modified to conform to it if the UC Open Access policy is adopted.

CAP is also concerned that the policy will negatively affect the publication venues available to UC faculty. In the competitive environment for scholarly publishing, it is difficult enough to place articles in desirable venues, and adding considerations of their open access policies is a further burden. CAP wonders if accessibility to these documents will inhibit publishers from reprinting articles, one measure of scholarly impact, as has happened in fields where dissertations become books. CAP also notes that open access is not free access, and faculty forced into open access submission tracks may incur significant additional publishing costs compared to the past. The proposed policy may be aimed more at commercial publishers, but for scholars who publish in society journals, there is no other payer available, and the faculty will pay high fees. Many other institutions who have adopted open access policies have also put in place funds to defray such charges; this ‘safe harbor’ should be available to faculty if the UC Open Access policy is adopted.
November 26, 2012

TO: Jose Wudka, Chair
    Riverside Division

FROM: Mariam Lam, Chair
      Committee on Committees

RE: Proposed Policy to Expand Open Access

The Open Access Policy is outside of the Committee on Committee’s purview. Consequently, no comments are provided from CoC.
October 29, 2012

TO: JOSE WUDKA, CHAIR
   RIVERSIDE DIVISION

FR: RICHARD SMITH, CHAIR
    COMMITTEE ON COURSES

RE: PROPOSED OPEN ACCESS POLICY

The Committee on Courses does not wish to opine on this matter.
November 26, 2012

TO:       Jose Wudka, Chair
           Riverside Division

FROM:     Byron Adams, Chair
           CODEO

RE:       Proposed Policy to Expand Open Access to Research Publications at the University of California

Noting that a similar policy is already in place in 140 universities (including UCSF), CODEO had basically no objections to this policy, with the caveat that there are still issues, such as musical and visual copyright restrictions. However, most members believe that open access to research may well benefit our university and, through the expedited exchange of data, quite possibly enhance the presentation of diverse points of view. One member hoped that the “opt-out” feature would be made easily available – that is, easy to use for UCR faculty authors who chose to do so. Furthermore, there was concern voiced about the effect that the “opt-out” option might have on the promotion of those faculty members who choose to “opt-out.” The committee hopes that these issues will be addressed and refined, as the policy is considered further.
November 27, 2012

TO: JOSE WUDKA, CHAIR
    RIVERSIDE DIVISION
FR: WARD BEYERMANN, CHAIR
    COMMITTEE ON EDUCATIONAL POLICY
RE: REVIEW OF THE OPEN ACCESS POLICY

The Committee on Educational Policy reviewed the document referenced above and has no comments.
December 5, 2012

To: Jose Wudka  
Chair, Riverside Division Academic Senate

From: Irving G. Hendrick  
Chair, Committee on Faculty Welfare

Re: Proposed Open Access Policy

Understanding that in the final stage of a Senate-wide review, it is necessary to take a stand in one direction or the other, the Riverside Committee on Faculty Welfare supports the Open Access Proposal advanced by the University Committee on Library and Scholarly Communication.

No member of our committee opposes this proposal, but our support ranges from full, unqualified, and enthusiastic to guarded, with a concern by at least three members about how implementation of this policy will impact faculty negotiations with publishers, and—longer term—how it will impact the future of scholarly publishing and the survival of journals. Because of CFW representation on the Academic Freedom Committee, we are aware of the position taken by that committee. If our understanding is correct, colleagues there do not oppose the mandated “opt-in” requirement that faculty transmit final draft copies of their manuscripts to the California Digital Library (CDL). They would prefer, however, that some other impositions on faculty be transferred to the CDL. Examples of these likely would include negotiating with publishers concerning archiving and making articles available online. The CFW, however, does not propose holding out for these changes prior to adopting the policy.

We know from other sources that the publisher of several hundred scholarly journals worldwide, i.e., Wiley-Blackwell, likely will expect a fee from users of its online service, even as the same article might be obtained free from the CDL. Likely influenced by the growing expansion of open access policies worldwide, Wiley-Blackwell has not opposed efforts to expand open access. In their July 2, 2012 statement on the subject, the company stated that “Wiley Blackwell supports any business model that is financially sustainable and scalable…” and reported confidence that “the subscription model will remain viable in a mixed economy for the foreseeable future.” (Minimal imagination suggests that they would not find diminished journal sales to be a “financially sustainable business model” indefinitely.)

Fortunately for the University of California, our institution seems to be embarking on a path for which there has been much support and minimal objection by early adopters of Open Access at
other universities. We draw some confidence that the proposed UC plan is nearly identical with those already implemented at Harvard, Princeton, Stanford, Kansas, Duke, Emory, Arizona State, Oregon State, and perhaps several other major universities. Together, these universities should enjoy growing leverage in making scholarly material widely available at minimal cost, and hopefully with no greater than reasonable effort. It is quite likely—but not a sure bet—that the early adopters will set the future pattern for the dissemination of scholarship. At this writing, it does not escape our notice which universities are on the early adopters list and which ones are not yet on it.

We are aware that the Open Access venture is barely one to three years old at most of the places where it has been implemented. It is altogether possible that negotiation bumps will occur along the way, including the possibility that over time some journals may find it necessary to discontinue their printed versions. Aside from supporting the proposed policy, it would seem prudent for faculty, librarians, and administrators, including the California Digital Library, to stay attuned to how the new policy is impacting the nature of faculty scholarship and publishing. We support open access and applaud its nobility. Still, the possible unintended consequences for faculty publishing bear watching as does making appropriate responses where and when needed.
November 27, 2012

To: Jose Wudka, Chair  
   Riverside Division

From: Connie Nugent, Chair  
       Graduate Council

Re: PROPOSED OPEN ACCESS POLICY

Graduate Council discussed the proposed Open Access policy at its October 18, 2012 meeting. The committee found this to be a confusing proposal that needs more clarification. While the motivations were understood, the committee felt that the proposal at this stage is a work in progress. The opt-out clause is unclear. Whether articles could be designated as open access after varying periods of time was also not clear. Finally, the committee expressed concern about how this policy would impact societies that rely on journal subscription revenue for funding.
November 27, 2012

To: Jose Wudka
Riverside Division Senate Chair

From: Lucille Chia
Chair, Committee on International Education

RE: Open Access Policy

The committee on International Education has no comments on the Open Access Policy as it is an issue that does not fall in to the committee’s charge.
November 27, 2012

To: Jose Wudka, Chair
Riverside Division, Academic Senate

From: Joseph Morse, Chair
Committee on Library and Scholarly Communications

Re: Proposed Systemwide Open Access Policy

First, the Library Committee would like to thank you and Dr. Jackson for arranging for Dr. Kelty to visit UCR and hold the two faculty forums on November 21. Although the meetings were lightly attended, this should not reflect a lack of interest in this subject at UCR but rather perhaps that the issues are fairly complex and the timing of the meetings were not optimal. Speaking to colleagues at UCR, there is a great deal of concern and interest regarding the proposed OA policy.

Second, we very much appreciate Dr. Kelty taking the time to hold these meetings – the discussions were most informative and helped dig into the complexity of the situation.

Our committee has three major comments.

1. There are several very serious problems that need to be addressed.

   There is a serious crisis with respect to journal subscription charges imposed on the UC library system. Dr. Kelty mentioned the annual cost was ca. $40 million to UC libraries as a whole. There are more and more professional journals, costs for many of these journals are increasing (Elsevier journals were mentioned as a particular problem), and one point made very strongly at the a.m. meeting on 21 November is that UC researchers MUST have access to the scientific literature. Yet funds provided to the libraries (most negotiations done collectively for UC by the California Digital Library = CDL) cannot continue to escalate -- it is unlikely UC will be able to continue to pay more for subscriptions.

   Researchers provide a large part of the intellectual content present in scientific publications (the research that produces the journal article, peer review of the articles, service on editorial boards, in many cases most of the typesetting for the article [sending in the article in a format that requires minimal typesetting], etc.) yet journals are businesses and have what most consider are excessive profit margins (42% for Elsevier and 32% for Wiley were given as examples at the fora). Unless something is done to put pressure on the system, these businesses are unlikely to voluntarily reduce their profit margins.
Open access (OA) journals are in some cases trying to fill the void but even some of the least expensive of these have article processing charges (we were told this is the correct term rather than page charges; the non-profit journal PLOS was noted as having APCs that are considered relatively low but are still $1,000 - $2,000 per article) that are difficult for many faculty to pay (those in many fields or those who have limited grant support).

Some OA journals are highly respected in particular fields but there are few reasonably priced and respected OA journals in other fields.

There are substantial Academic Freedom issues that need to be addressed. Researchers should be free to publish in the journal of their choice. Young faculty attempting to obtain tenure should not be constrained by what journals they have to choose or by not being able to pay article processing charges in well-respected journals.

A nice solution would be for the UC system to provide grants for article processing charges. Yet this solution appears unlikely.

Many relatively small scholarly societies depend strongly on a combination of subscription charges and article processing charges (which are often kept at fairly low levels because of the income from subscription charges and/or membership fees). It is important that the OA policy not harm the good these society journals do.

There are unique issues facing some researchers (e.g., art historians and others who rely on copyrighted material). Dr. Kelty suggested that these researchers already must negotiate with copyright owners before they publish and that the proposed OA policy would not add significantly to this burden. We are not convinced the details of how this would work have been explored to the degree that would be necessary if the present OA policy were passed.

To summarize, many of the above items indicate that something must be done to address the situation but the complexity of the problems and differences across different fields make a single, simple solution unlikely to simultaneously address the diversity of problems in a fair and equitable manner.

2. Whereas we applaud the intent of the proposed OA policy, we feel its implementation as proposed is premature.

Too many questions remain unanswered in the proposed policy. Too many details and methodologies have yet to be developed.

The problems listed under #1 above are too serious and too complex not to be addressed. But how they are best addressed needs to be thought out carefully so that the solution(s) work.

A major problem is that there are specifics that vary greatly between different disciplines and one “size fits all” policy is unlikely to work well.
3. Ideas proposed in order to move forward.

A clear message must be sent to publishers that the UC system is moving towards an OA policy.

We suggest that CDL be funded to move ahead with developing a more detailed, simple, and user-friendly system to implement OA similar to what is proposed in the policy. Obviously, the system is eventually going to move more and more in this direction, especially if other federal funding agencies follow the NIH lead by requiring delayed OA as a condition to grant renewal (or perhaps as a condition of accepting federal funding). As an example, authors need to be clearly shown what would be involved should they select either to opt out or use the embargo (delayed OA) option – how simple and easy would this be for faculty whose laboratory publishes 10 or more scientific articles a year?

It was suggested that the present OA policy would have joint oversight by UCOP and the Academic Senate. Yet there was also the mention that at some point, publication in OA venues and/or deposition of articles in the CDL repository might play a role in the APM process. We believe it is absolutely critical that a mechanism be developed whereby the Academic Senate retains adequate control of how any proposed OA policy affects Academic Freedom and the APM process. This should be done in advance, BEFORE the Senate buys off on a policy that might later be hijacked and redirected by either local or systemwide administrations.

We suggest a phased-in OA approach might start with some of the more receptive fields of study. No one change in how we presently “do business” is going to fix all of the problems inherent in the system. Progressive and step-wise change (with periodic review such as the 3 years proposed in the current policy) is likely needed to continue to address what is needed.

We realize the proposed policy is intentionally vague in some respects but this vagueness is part of the problem with respect to faculty buy-in.

We need more detail on how well or how poorly OA policies similar to what is proposed are working on comparable institutions. How are Harvard, Princeton, Duke, etc. handling this? How do authors at these institutions who do not have the funding for article processing charges dealing with the situation?
November 30, 2012

To: Jose Wudka, Chair
    Riverside Division, Academic Senate

From: Jim Baldwin, Chair
      Committee on Physical Resources Planning

Re: Systemwide Review of Open Access Policy

The committee on Physical Resources Planning has no comment on the Open Access Policy as it addresses an area that is outside of the purview of the committee.
November 25, 2012

TO: Jose Wudka, Chair
   Riverside Division

FM: Jan Blacher, Chair
    Planning and Budget

Re: Review of Open Access Policy

The Committee on Planning and Budget discussed the proposed Open Access Policy and opines that although the policy can be implemented, there are issues:

- How much should the library budget subsidize research publications, vs. the research budget of the faculty member?
- How much will UCOP (and Chancellors) invest in improving the current system?
- Will faculty find it easy to “opt-out?”
Committee on Privilege and Tenure

October 18, 2012

To: Jose Wudka
Chair, Riverside Division Academic Senate

From: Helen Henry
Chair, Committee on Privilege and Tenure

Re: Proposed Open Access Policy

The Committee on privilege and Tenure considered the Proposed Policy to Expand Open Access to Research Publications at the University of California at its October 15 meeting. While the members were, in general, supportive of the goals of the policy, there were some concerns about the long term effects of the changes in the role of publishers of scholarly work. These are:

1. If the publishers ultimately become less or even non-profitable, who will pay to maintain the peer review process? Journals published by scholarly societies can continue to cover these costs from membership fees, but others may require a new funding mechanism for the peer review infrastructure.

2. Will there be an effect on the Academic Personnel Process? For example if a faculty member consistently opts out of the policy so that his or her work can appear in a journal that does not allow open access, will that influence consideration of the individual’s personnel file? On the other hand, will the choice to publish in on-line journals have an effect on the Academic Personnel process?

3. Finally, some members wonder whether consideration has been given to the prospect of the possibility that all scholarly publications will eventually be electronic and what the implications are for faculty, the University and scholarship in general.
November 27, 2012

To: Jose Wudka, Chair
    Riverside Division

Fr: Len Nunney, Chair
    Research

Re: Open Access

The Committee on Research had extensive discussion of the proposed Open Access Policy. COR is strongly supportive of open access; however, it cannot support the proposed policy in its current form. COR considers that it is extremely important that any open access policy must not inhibit faculty research or impose undue additional burdens on faculty. Unfortunately, COR finds that the current proposal does not adequately evaluate potential adverse effects, and furthermore, COR considers that adverse effects are an almost inevitable consequence of implementing the policy as proposed, especially if (as we all hope) open access is more generally adopted nationwide. The world of academic publishing is changing and we should plan for the longer term.

Despite the careful work of USOLASC on crafting this policy, very serious concerns remain (detailed below). For this reason, we propose that the issue of Open Access should involve agreements at a higher level than a single university system. As a first step, Federal granting agencies should be lobbied to follow the lead of the NIH regarding open access. This has the advantage of linking any open access mandate to funding. Beyond this, other consortia could build on this policy document and the work initiated elsewhere, such as the recent Finch report in the UK. Regardless of the merits of the UK report, it recognizes the need to link the discussion of open access to the availability of new financial resources for faculty.
Our specific concerns are the following:

- **Publication Costs (Page Charges):** A policy for Open Access should incorporate mechanisms for mitigating any increase in charges faced by researchers, since low cost, high quality routes of academic publication (e.g. journals of academic societies) are threatened by such policies. Increasing publication costs are a serious concern for researchers and yet they are never mentioned in this proposal. Open access page charges are substantial: even the most efficient open access scientific publications such as the non-profit PLoS journals charge around $1500-$3000. Thus if the policy achieves its goals (of increasing open access publication and reducing library subscription costs), page charges levied on researchers (and/or membership charges to academic societies, when membership provides low page charges) will inevitably increase for two reasons. First, any shift to Open Access publishing (i.e. policy success) will incur the already established high page charges levied by such journals; and second (although perhaps less obviously, but no less importantly), if the policy achieves the hoped-for leverage on publishers to reduce the subscription costs for non-open access journals, then publishers will be forced to rely on their other source of income, page charges. Faculty are in a very weak position to defend against page charge increases – much weaker than the UC libraries are in their negotiations over subscriptions, so page charges will almost certainly rise. As a result, researchers will lose their only mechanism of low cost, high quality publication.

Publication costs are clearly a burden to faculty without access to grant funds that cover these costs. This group includes junior faculty attempting to establish a research program that they anticipate will be funded by grant money in the future, but need their preliminary work published in high quality journals. Traditional seed money from the intramural funding programs managed by COR is inadequately funded to cover research plus the resulting publication costs at the level that can reasonably be anticipated; in fact, at present, our typical award would barely cover the minimum cost of a single open access publication.

Research performed with grant support can also be adversely affected if low cost, high quality journal outlets disappear. It is not uncommon for publications to be
completed after the grant money has expired. If the grant is not renewed, the researcher would be required to pay the publication costs out of pocket, unless a pool can be established to cover the costs of the anticipated publications.

- **Submission to the CDL.** The opt-out policy creates a mandatory set of options for submission of faculty articles to the CDL, one of which is, at a minimum, an absurd and unnecessary burden. It appears that there are three submission possibilities: (1) submission of the completed paper as published, either immediately or after some embargo period; (2) submission of the final, but non-typeset, version which is sometimes allowed by a publisher when submission of the published version is not permitted; and (3) submission of the version of the manuscript as it was originally sent to the journal, since some publishers only permit the release of the manuscript prior to any editorial input. This last option is of great concern. A requirement to deposit a version of the manuscript that has not benefitted from peer review suggests a lack of understanding of the peer review process. It is not unusual for manuscripts to be substantially revised in the review process, and sometimes this includes correcting important errors, and, as such, faculty are unlikely to want the pre-revision copy to be available to anyone at any time in the future. The requirement to submit a discarded version of a manuscript is burdensome and an insult to faculty.

- **Library Subscriptions.** The unstated, but quite probable, outcome of the policy is that the UC libraries will accelerate the dropping of subscription journals, making them unavailable to UC faculty. At present we have unsurpassed access to scholarly material, but threatening to drop journals published by scholarly societies (which are typically not open access and often managed through large publishers) as a negotiating strategy can seriously harm the research endeavor. We recognize the problem faced by the library system due to its declining funding, but we do not see this policy as an effective way to alter the situation without adversely affecting faculty research. Perhaps what is needed is a larger scale collaboration of libraries nationally and internationally to negotiate with publishers as the nature of publishing and of libraries changes.
• **Embedded Copyright.** Commercial use of anything publicly available in the California Digital Library (CDL) is unrestricted so a faculty member’s work could appear in any medium (e.g advertisements). Faculty publications may contain images from sources such as museums that are themselves copyrighted. It appears to become a faculty responsibility to recognize and protect any embedded copyright. The policy should be modified so that the CDL takes responsibility for this issue. In any event, the policy needs to define clear guidelines on how to approach institutions and individuals holding image rights, and how embedded copyrighted material for open access is to be handled.

• **Faculty Workload & Liability.** The policy requires faculty (a) to deal with the publisher regarding all copyright and opt-out issues (the policy proposes providing a form that faculty will be required to sign); and (b) to submit to the CDL the appropriate version of a publication so that copyright issues are not infringed. This mandate is burdensome and appears to make faculty liable if a copyright is infringed.
November 16, 2012

To: Jose Wudka, Chair
    Riverside Division Academic Senate

From: Ziv Ran, Chair
      Committee on Rules and Jurisdiction

Re: Proposed Open Access Policy

The committee does not wish to opine.
November 27, 2012

To: Jose Wudka, Riverside Division Academic Senate Chair

From: Robin Nelson, Scholarship & Honors Committee Chair

Re: Open Access Policy 2012

In our meeting on November 6, 2012, the Scholarships and Honors Committee voiced unanimous support for the Open Access Policy as articulated in the September 2012 proposal. Our members are acutely aware of the rise in journal subscription costs and the impact that these costs have on our already financially taxed university system.

While our committee members are committed to a movement towards Open Access policies within the UC, several members voiced concern regarding compliance and enforcement of the policy. We are concerned that the opt-out clause enables publishers, particularly those of high impact journals to avoid compliance with this policy. The unlimited nature of the opt-out option may weaken our ability to enforce a broad open access policy.

Additionally, we suggest that the automated open access repository be linked to the e-file system in the future. This would allow faculty to deposit electronic versions of their open access manuscripts into both the e-file system and the repository at the same time.

Overall, we support the University of California system’s movement towards an open access system. We are confident that it will better meet the intellectual and financial needs of our growing university system.
November 27, 2012

To: Jose Wudka, Chair
    Riverside Division, Academic Senate

From: Mindy Marks, Chair
      Committee on Undergraduate Admissions

Re: Systemwide Review of Open Access Policy

While outside the purview of the Undergraduate Admissions Committee, UAC discussed the Open Access Proposal. The committee supports the goal of Open Access but felt that the memo was poorly written. There were several questions as to how the opt-out option works - in particular if opting out of the program was going to be an easy, streamlined process. The committee felt that consequences involved in the various opt-out choices the proposal offers were not clearly addressed. Members also expressed concern about increased publishing costs that may be associated with making journals open access. A member expressed the concern that some journals may be less likely to publish UCR works if they have to deal with Open Access.
November 27, 2012

TO: JOSE WUDKA, CHAIR
    RIVERSIDE DIVISION

FR: GUANSHUA XU, CHAIR
    COMMITTEE ON UNIVERSITY EXTENSION

RE: REVIEW OF THE OPEN ACCESS POLICY

The Committee on University Extension reviewed the document referenced above and felt more information of the implications of the policy changes were needed in order to make any comment.
November 15, 2012

To: Jose Wudka  
Chair of the Academic Senate  
University of California, Riverside

From: Bahman Anvari  
Chair of the Faculty  
Bourns College of Engineering  
University of California, Riverside

RE: Proposed Open Access Policy

The BCOE Executive Committee discussed the Proposed Open Access Policy on October 22, 2012. The committee is very supportive of the proposal. The committee was particularly excited about the potential benefit to the people of California who would have open access to the results of research conducted by UC faculty and researchers.
November 1, 2012

TO: José Wudka, Chair  
Academic Senate

FROM: Jennifer Hughes, Chair  
CHASS Executive Committee

RE: Open-Access Policy

The CHASS Executive committee supports the proposed Open-Access Policy as distributed on September 20, 2012.

CHASS faculty and students are particularly affected by the current system insofar as rising costs for access to journals puts pressure on library budgets. This threatens not only ongoing subscriptions but also has impacted the library’s ability to purchase books and scholarly monographs—a primary publication format for many of our Humanities faculty. Moreover, as the report indicates, the current publishing model drains financial resources from public institutions and channels these into for-profit companies.

We are committed to the concept of open-access as it reflects the University of California’s values as a public institution. We believe that open-access will facilitate dissemination of our ideas and research and will increase the visibility of our faculty members’ research on a national and global stage. It will ease our ability to share research findings with colleagues world-wide and creates broader readership. Open-access has the potential to improve the relationship between the UC and the taxpayers of the state of California.

We believe that the opt-out clause included in this proposal, placing the burden on publishers to seek exclusive rights, will protect the ability of individual scholars to publish in any and all journal venues. Our concern is that the unlimited nature of the opt-out clause as currently formulated weakens the potential benefit of the proposal. As currently drafted the proposed policy may not be strong enough to bring about the desired result. We acknowledge, however, that it is a step in the right direction.

Sincerely,

CHASS Executive Committee.
TO: Jose Wudka, Chair, Academic Senate, Riverside Division

FROM: Gillian Wilson, Chair, Executive Committee College of Natural and Agricultural Sciences

DATE: November 1st, 2012

RE: Proposed Open Access Policy

Dear Jose,

The CNAS Executive Committee discussed the Proposed Open Access Policy during its meeting on October 30th 2012.

The CNAS Executive Committee is very concerned by the rising costs of accessing journals and supports efforts to reduce library subscription charges. However, the committee was of the opinion that the proposed Open Access Policy needed much more extensive consultation with faculty, and was likely not acceptable to most faculty in its present form. The committee identified the following areas of concern:

1) The policy impinges on faculty’s academic freedom by limiting their choice of publication venue. Many faculty publish in journals that do not have open access policies. This policy would adversely affect those journals and reduce freedom of choice of publication venue for faculty.

2) The policy forces UCR faculty who are co-authors on a paper to interfere with the lead author’s choice of publication venue.

3) If UC faculty are expected to publish their work in open access venues, the University will have to provide funds to cover this (typical costs are $1500 - $3000 per manuscript). Otherwise, many faculty will be prevented from publishing their work because they lack the funds to do so.

4) Are faculty expected to be responsible for paying the open access fees for papers for which they are a co-author? If so, many faculty will be prevented from publishing work to which they have contributed because they lack the funds to do so.

5) The option of posting pre-publication versions of manuscripts degrades scholarship. Many copyright agreements do not allow posting of edited versions, so authors will have to post “pre-review” versions of manuscripts. These often contain errors or deficiencies which are identified and corrected during the review process.
6) Since there seems to be no “policing” of open access venues, manuscripts which are not peer-reviewed or have been rejected at the peer-review stage (and therefore potentially scientifically erroneous or deficient) could be posted.

7) The University will have to continue to purchase license agreements from the major publishers for the foreseeable future so that faculty, staff, postdoctoral researchers and students will have access to papers published in these journals. The open access policy will therefore not have the intended effect of reducing the need for these license agreements.

8) The policy puts the responsibility on individual faculty to negotiate copyright agreements with major publishers.

9) The policy will place considerable additional time burdens on faculty who must either choose to opt-out or must provide an electronic version of the final version of each manuscript for which they are a lead author or co-author. (Some faculty who are part of large scientific collaborations e.g. high energy physicists, publish tens of papers a year).

10) Society journals support vital scholarly societies. Society revenues come from page charges and moving to open access will reduce vital revenues for those societies.

11) The policy did not address the consequences for faculty members who choose not to comply, or how they would be enforced.

Sincerely,

Gillian Wilson
Chair, Executive Committee
College of Natural and Agricultural Sciences
November 9, 2012

To: Jose Wudka, Chair
   Riverside Division

From: Melanie Sperling, Chair
      GSOE Executive Committee

Re: Proposed Open Access Policy

The GSOE Executive Committee discussed the proposed open access policy at its October meeting. Subsequently, the GSOE convened a meeting for the GSOE faculty to discuss this policy with Director of the Library Ruth Jackson and librarian Rhonda Neugebauer. After much discussion and deliberation, we convey a mixed response regarding the policy.

The GSOE recognizes that the current library arrangement with journal publishers is not economically sustainable and that something must be done to ameliorate the multiple economic problems that closed access entails at this time of budget crisis on the one hand and evolution of electronic communications on the other. Yet, regarding this policy, a number of faculty raised concerns about the issue of possible negative consequences to faculty professional and career advancement if journals are, because of this policy, perceived hierarchically based on whether they agree or disagree to publishing on an open access basis. Some faculty raised related concerns about whether UC is asking faculty to bear the brunt of a formidable task, that of changing from a closed to open access system. On the other hand, some faculty felt that the time is right to make a shift to open access given the rapid changes that electronic media are bringing to written communication. Further, UC faculty are in a strong position to join the other university faculties making these changes. The question arose about whether it is possible for UC to negotiate open access with each journal and to announce which journals agree to follow the open access policy.

The GSOE also requests that before open access is decided, UCR faculty be given the opportunity to hear from a representative from UCSF, the one campus that has subscribed to this policy, perhaps via letter sent through email, toward better understanding the experience and the possible consequences of implementing open access.
To: Jose Wudka, Chair Riverside Division

From: Ameae Walker, Chair, Faculty Executive Committee, School of Medicine

Re: Open access Publication Policy

The committee fully supports the spirit of open access publication for all of the reasons put forth in the proposal. However, the committee feels that concerns over faculty workload have been brushed off as insignificant in the Q & A section. While in and of itself, the additional tasks may seem insignificant, the faculty have been given innumerable such tasks in recent years and their cumulative effect is to significantly reduce time available for the research that generates the publications. The first requirement is to deposit an electronic version of the article at the time of acceptance. Rather than place this burden on the faculty member, the committee proposes that the responsibility for gleaning published papers for the database be on the shoulders of the librarians whose traditional roles have diminished in recent years. The second requirement is to send “an addendum to the publication agreement” along with the publication/copyright agreement to the journal. Couldn’t the new policy be announced to all publishing houses used by UC faculty to eliminate the necessity for each faculty member to do so? This might miss one or two obscure publication houses, but surely would capture most. The final requirement has to do with the proposed waiver request for time periods of exclusive access dictated by different journals/publishing houses. Since many publishers automatically allow open access according to the 12 month NIH ruling and deposit articles accordingly, I imagine this could be done for the UC database as well.