

Update on open access and academic journal contracts
Presentation to the Board of Regents' Academic and Student Affairs Committee
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Introductory remarks by Provost Brown

Thank you Regent Anguiano and members of the Academic & Student Affairs committee.

I'm very pleased to introduce this update on the important work that the Academic Senate, the UC libraries, and the California Digital Library in the Office of the President have been doing to make the University's published research freely available to the world—culminating, as you're about to hear in more detail, in UC's recent open access agreement with Elsevier, the world's largest scholarly publisher.

The open access agreement with Elsevier followed a successful negotiation last spring with the world's second largest academic publisher, Springer Nature, along with other agreements that my colleagues will describe for you today. Actually, culminating is the wrong word—because as you will also hear, this work is ongoing, as the libraries continue to negotiate similar agreements with more publishers, with a goal of opening up all of UC's research to the public.

In transforming scholarly communication to open access, the University lives its values, and executes on its research, educational, and public service mission. UC publishes approximately ten percent of the scholarship emanating from the United States, and takes seriously its obligation to share the fruits of that research with all who can benefit from it—everyone from policy makers, entrepreneurs, and ordinary citizens here in California, to those around the globe who learn from and wish to build on that knowledge in the farthest reaches of the globe.

We are pursuing this activity in deep alignment across the university through a coalition of faculty, libraries and administrators, exemplifying the positive role that shared governance plays within the UC system. Through this work, we are increasing the reach, impact and relevance of UC's research to the state of California and to the world.

Joining me here today to tell you more about these activities are three members of the steering committee and negotiating team that lead our efforts:

- Günter Waibel, the Associate Vice Provost and Executive Director of the California Digital Library or CDL, the unit within the Office of the President that negotiates the libraries' systemwide publisher contracts;
- Jeffrey MacKie-Mason, University Librarian and Chief Digital Scholarship Officer, and Professor in the School of Information and in the Department of Economics at UC Berkeley, representing the Council of University Librarians across the ten campuses; and
- Ivy Anderson, Associate Director of CDL and Director of its shared collections program, who leads UC's publisher negotiations.

I'm delighted to turn now to Günter to lead off the presentation.

Presentation by University Librarian MacKie-Mason, Associate Vice Provost Waibel and Associate Director Anderson

Thank you, Provost Brown, and thank you, Regent Anguiano and members of the committee.





In early 2018, the UC Libraries, the Academic Senate library committee, and the UC Provost's library advisory committee simultaneously adopted a new plan to accelerate the transition to open access. Among the plan's key strategies is to utilize publisher negotiations so that instead of paying to read, we pay to publish open access. This new kind of contract brings UC research out from behind a publisher paywall, and into the open global discourse where anyone with an internet connection can access our findings. In addition, we established broadly shared goals for these contracts, including 100% open access publishing for all UC authors, and strict cost controls.

When last we presented to you in July 2019, we celebrated our first negotiation success for such an agreement with Cambridge University Press. On the flip side, our negotiation with the world's largest academic publisher Elsevier had failed. The publisher demanded more money in exchange for just a small increase in open access publishing; to reach our stated 100% open access goal, the terms of the publisher's proposal would have required an 80% increase in UC expenditures. In close consultation with UC stakeholders, including the Academic Senate, the negotiation team refused to agree to these terms, and walked away from the negotiation table.

UC's principled stance paid off. Under new leadership, Elsevier changed course on open access agreements, and began experimenting with contracts in Europe. At the same time, we continued to establish our model with other publishers. In the late summer of 2020, we restarted negotiations with Elsevier. Today, we have 9 open access agreements with a diverse group of publishers, and since April 1 2021, that group includes Elsevier. For more details on that agreement, I am now handing over to Jeff.

In summer 2018 we publicly announced four goals, and commenced our negotiation with Elsevier, the world's largest scholarly publisher. When Elsevier would not deliver on these goals, we cancelled our subscription agreement and walked away in early 2019. We are pleased to tell you that by standing strong and united across faculty, libraries and university leadership, we prevailed.

UC's successful negotiation with Elsevier

-  All UC articles open access by default
-  UC cost savings of 7% (\$4.4 million)
-  Responsive to [Academic Senate principles](#)
-  Reading access to all Elsevier scholarly articles

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The agreement that took effect last month meets all four UC goals:

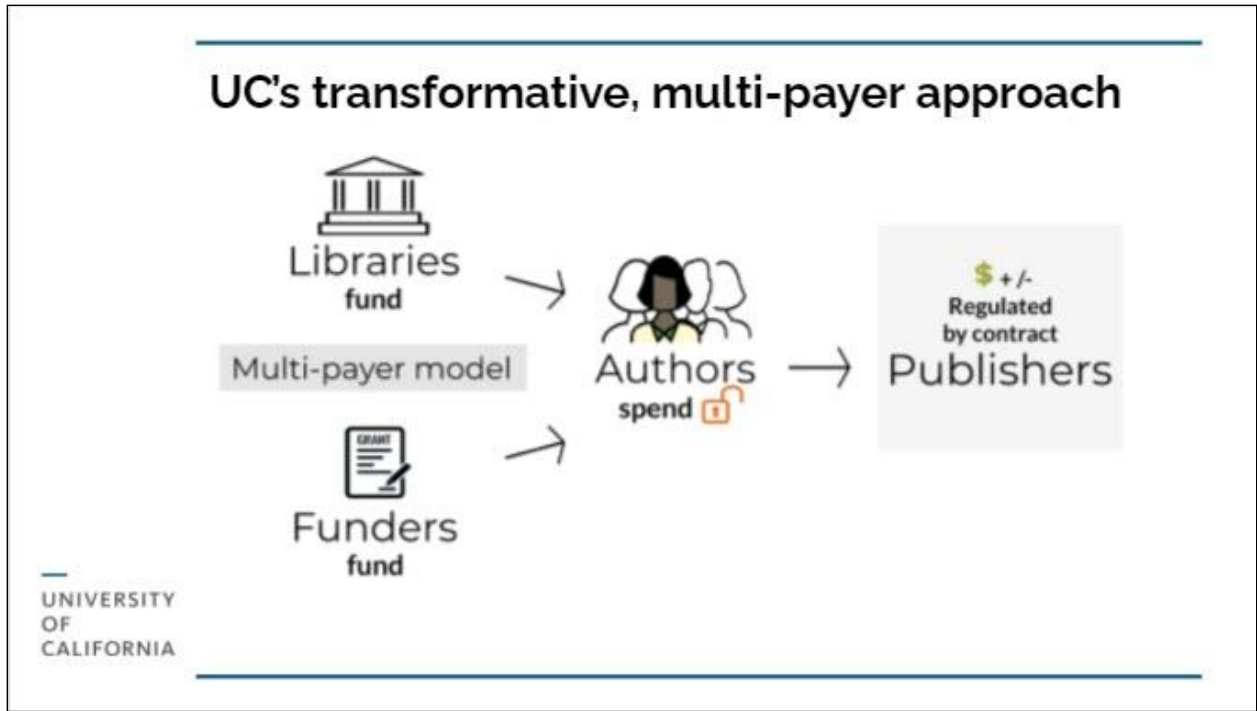
1. 100% open access publishing for UC lead-authored articles, by default
2. Expenditure reduction and tight cost controls for the University
3. Provisions responsive to the Faculty Senate principles to transform scholarly communication
4. And reading access to essentially all Elsevier content.

This is a publishing agreement: we pay Elsevier only for the articles we publish. We get reading access to everything, but there are no reading fees. The agreement lasts four years.

We expect nearly 5000 open access articles this year, and a growing number each subsequent year.

Compared to continuing our old agreement, business as usual, we calculate that over the four years we will save the UC libraries and author research accounts 7%, or about \$4.4 million.

A key question we get: How does the agreement work financially? Before, we paid publishers with our right hand, *and* with our left hand. UC Libraries paid publishers about \$40 million per year for subscriptions. In addition, UC authors were paying about another \$10 million to publish a small fraction of UC articles open access, so the total UC spend was about \$50 million. And the open access author payments were growing about 15% a year, with no way to centrally control them.

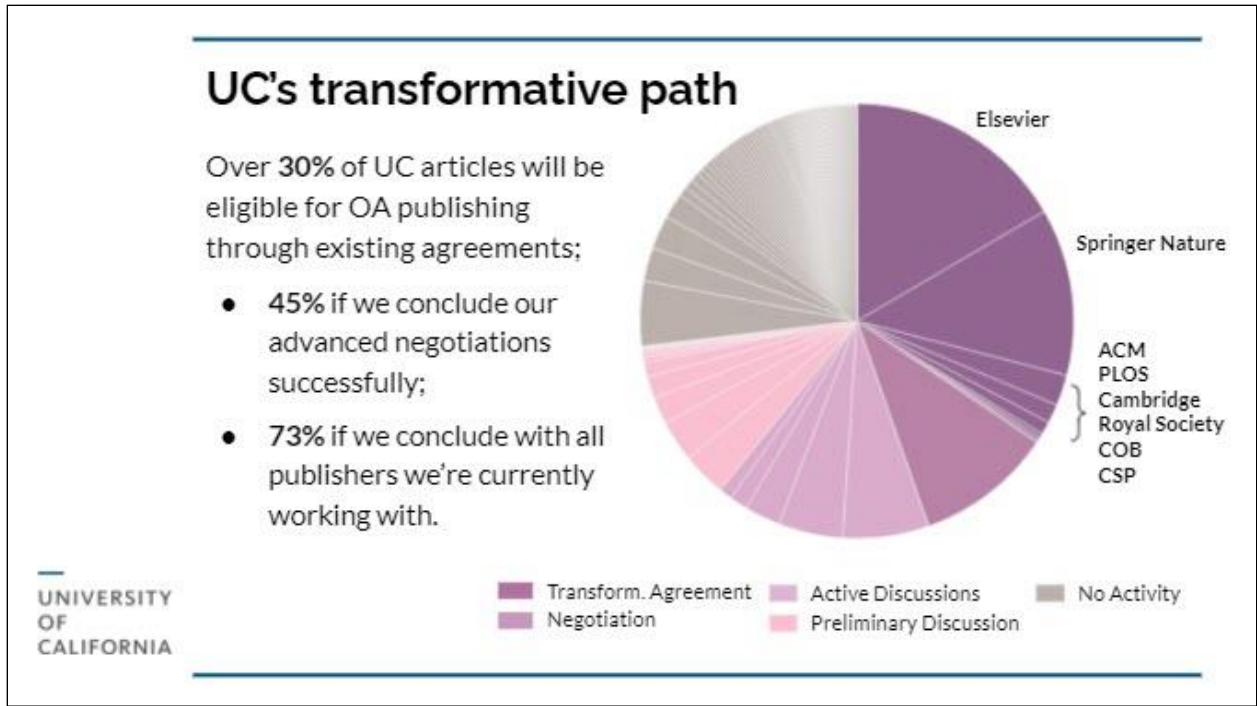


In the new model we've pioneered we combine library and author payments into a single contract that controls the total UC spend. For some articles, the library pays part of the publishing cost and the author uses research funds to pay part. When authors don't have sufficient research funds for their share the library steps in and pays the full amount: we call this "no author left behind". By combining library and author budgets, we can pay for the high rate of UC research publishing, *and* because they are combined in a single contract we can control the growth in costs.

This is the best open access agreement with Elsevier we've seen in the world:

- Elsevier's revenue per article in our agreement will be about \$2900; in their agreements, other universities will be paying Elsevier 50-100% more
- As early as next year and no later than the year after, ours will be the only agreement anywhere to include full, unlimited open access publishing in Elsevier's super-prestige imprints, Cell Press and The Lancet
- Unlike others, ours has no cap on the number of open access articles we can publish

How did we accomplish this great success? By first building a UC-wide coalition of libraries, faculty and leadership. Then by transparently announcing and publishing our negotiation goals so we could be held accountable. Then, sticking to those goals relentlessly, even walking away from negotiations for a year and a half, yet not budging an inch. When it became clear to Elsevier that we weren't backing down, they agreed to work with us, to meet the exact goals we published nearly three years ago.



The UC libraries have now concluded nine open access agreements with a diverse range of publishers, including as you've heard today, the two largest publishers of academic research: Elsevier and Springer Nature.

The large commercial publishers are particularly important to our transition efforts because they publish the lion's share of UC research, and also because their reliance on profit-driven business models means that we have to work especially hard to bring the discipline of the public purse to our economic dealings with them - as indeed we have. But to ensure that we use our public purse wisely, we have to take equal care to preserve diversity and competition within the publishing ecosystem. Thus, our transformative efforts have prioritized working with a diverse set of publishers both large and small: including academic and scientific societies, university presses, and the native open access publishers who have led in this domain - as well as continuing our own work to support publishing within the academy itself. We are committed to continuing this approach, ensuring that we provide equitable support to UC faculty working in all disciplines, wherever they choose to publish.

On this next slide, you will see that the agreements we've put in place to date provide for open access to 30% of UC's research output - an impressive record in just over two years. If our current active negotiations bear fruit, we will soon be at 45%; and with many other discussions underway, it's entirely conceivable that we will be at 70% within several years' time. The long tail will be harder, but we will get there eventually.

But we cannot stop there - to make open access the global norm, other institutions must pursue this path with us. We believe our experience can be helpful to others, and we have actively sought to share our experiences, the details and design of our publisher agreements, and the expertise we are

developing in this arena with other colleague institutions. When we first set out upon this journey in 2018, no other US institution had taken this step; today, our very first open access publishing partner, Cambridge University Press, now boasts open access agreements with more than 140 US libraries, and credits this success to its pioneering work with UC. Dozens of other US universities have signed or are exploring similar agreements with other publishers - including the institutions of the Big Ten Academic Alliance, with which we are working directly. We look forward to continuing these engagements and being a force for open scholarship in the US and beyond.

We welcome your questions and discussion.