



OFFICE OF THE PROVOST AND
EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

October 15, 2014

**CHANCELLORS
ACADEMIC COUNCIL CHAIR GILLY
ANR VICE PRESIDENT ALLEN-DIAZ
LABORATORY DIRECTOR ALIVISATOS**

Dear Colleagues:

Enclosed for systemwide review is a new draft Presidential Policy on Open Access for University of California authors who are not members of the Academic Senate. All Academic Senate members are already covered by an Open Access Policy approved on July 24, 2013; the attached draft policy extends similar open access rights and responsibilities to all members of the UC community who are authors of scholarly articles. In addition, the proposed policy outlines procedures for implementing the policy for all UC authors, both Senate and non-Senate. My intention for systemwide review of this policy is to solicit feedback on the proposed policy from all members of the UC community. Therefore, please distribute the draft as widely as possible, using processes appropriate for each of your respective groups, so that all have an opportunity to comment.

During academic year 2013-14, the Provost's Task Force on Open Access, chaired by UCLA Associate Professor Christopher Kelty, studied the complexities of this policy issue and was guided by two principles: 1) to respect the Academic Senate's policy and its concern for academic freedom and autonomy; and 2) to implement the enclosed proposed policy as uniformly and fairly as possible for all members of the UC community who author scholarly articles. The Task Force has taken special care to consider how the proposed policy can work in concert with the Academic Senate's policy and not supersede it. The Task Force has also worked within the current UC Copyright Policy, which distinguishes those employees who own their copyright from those who do not; more information on this ownership issue is included on the attached document entitled "Proposed Presidential Policy on Open Access: Additional Information and Frequently Asked Questions for Systemwide Review." More generally, this document explains the purpose and function of open access policies. Much more detailed and extensive information is also provided by the California Digital Library at <http://uc-oa.info/>.

October 15, 2014

Page 2

The Task Force, composed of Academic Planning Council (APC) and non-APC members, consulted throughout the last academic year with the APC; I serve as chair of the APC and former Academic Council Chair William Jacob served as Vice Chair. In addition, the Task Force sought additional input from those administrators and leaders who could help us reach faculty, students, and staff potentially affected by the proposed policy. In this effort, comments and guidance were solicited from UC Vice President Duckett (Human Resources and Labor Relations), UC Vice President Sakaki (Student Affairs), the Vice Provosts of Academic Personnel/Academic Affairs, the Council of Graduate Deans, University Extension Deans, the Council of University Librarians, the Librarians' Association of UC, and the Academic Senate.

Initial feedback from these groups has been incorporated into the enclosed draft. With this systemwide review, my staff and I are ensuring that all of the affected audiences know about the review and have a chance to offer input. Thus, I am circulating the draft more widely than the usual systemwide review distribution, trusting that each of you will make a special effort to solicit comments from those you represent and work with in the UC community.

National Context in Scholarly Publishing

The goal of this policy, as with the nearly two hundred similar policies passed at other universities, is narrow but important: to allow authors of scholarly papers to collectively and preemptively reserve broad rights under copyright law, or to give up those rights if so desired. The policy increases the ambit of control over publications that scholarly authors preserve, and it creates an institutional expectation (but not a requirement) that our scholarship at the University of California will be made widely available to the public.

However, in proposing this policy, the Task Force, APC, and I are cognizant of the fact that such a policy is limited in its ability to affect the state of scholarly publishing today, and that many larger challenges loom. This policy is protective of author rights while being sensitive to academic freedom, but it does not directly address the worrisome economics of scholarly publishing.

As scholars at UC—ladder-rank faculty, faculty in other title series, post-doctoral scholars, students and academic researchers—continue to publish in greater volume, and as publishers expect increased, unremunerated labor from UC scholars in terms of peer review and editing, we will encounter continued difficulties in paying for scholarly publishing. We will also face challenges in ensuring that costs and opportunities are equitable across the disciplines and in balancing our capacity to create new knowledge with the costs of publishing it. This policy alone cannot solve these problems, but it can be a wise step on the way towards doing so.

October 15, 2014

Page 3

Systemwide Review Process

Systemwide Review is a public review distributed to the University leaders requesting that they inform the general University community, affected employees and union membership about policy proposals. Systemwide Review also includes a mandatory full Senate review for at least 90 days.

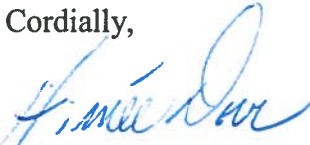
All employees—faculty, academic appointees, student employees, administrators, and staff-- should be afforded the opportunity to review and comment on the draft new policy, available online at: <http://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/policies-under-review/index.html>. Attached is a Model Communication which may be used to inform non-exclusively represented employees affected by these proposals. Our colleagues in UCOP Labor Relations will inform the collective bargaining units by way of their usual processes.

Please submit comments and feedback to the enclosed policy by **January 15, 2015** to ADV-VPCARLSON-SA@ucop.edu (email address is not case-sensitive).

Questions may be directed to Janet Lockwood at Janet.Lockwood@ucop.edu or 510.987.9499.

Thank you in advance for your attention to this new draft Presidential Policy.

Cordially,



Aimée Dorr, Provost
Executive Vice President for Academic Affairs

Enclosures: Proposed Draft Presidential Policy on Open Access
Proposed Presidential Policy on Open Access: Additional Information and
Frequently Asked Questions for Systemwide Review
Model Communication

cc: President Napolitano
Executive Vice Chancellors/Provosts
Senior Vice President Vacca
Vice President Brown
Vice President Duckett
Vice President Sakaki
Interim Vice President Tucker
Vice Provost Carlson

October 15, 2014

Page 4

Vice Provosts Academic Personnel/Academic Affairs

LAUC President Conner

Council of Graduate Deans

University Extension Deans

Council of University Librarians

Provost's Task Force on Open Access Members:

Associate Professor Kelty, Chair (UCLA)

Professor Clare (UCR)

Professor Konopelski (UCSC)

Professor Manduchi (UCSC)

Professor Schneider (UCSF)

University Librarian Tanji (UCI)

Academic Personnel Directors

Executive Director Baxter

Executive Director Farley

Executive Director Streit

Executive Director Tanaka

Director Chester

Director Greenspan

Director Mitchell

Senior Counsel Hao

Senior Counsel MacDonald

Chief of Staff Grossman

Chief of Staff/Director of HR Policy Skarakis

Deputy to the Vice President/Executive Director Griffin-Desta

Deputy/Compliance Officer Lane

Manager Lockwood

Policy Coordinator Trifonov

Planning Analyst Landes

Senior Analyst Banaria