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July 28, 2023

ACADEMIC COUNCIL CHAIR SUSAN COCHRAN
UCOLASC CHAIR JOHN HILDEBRAND

Dear Chair Cochran and Chair Hildebrand:

We are writing in response to your letter dated, July 10, 2023 regarding the [Academic Council and UCOLASC statements](#) on the retention of author rights in license to publish agreements, both to express our gratitude for the faculty's leadership on this important matter and reaffirm our support.

Open and equitable access to information critically enables the University of California's teaching, research, and public service missions, and the University remains deeply committed to the transformation of the scholarly publishing landscape to ensure the widest possible access to the scholarly record.

As authors and administrators, we are disappointed to learn that publishers are deliberately undermining the stated will of UC faculty, as expressed in [open access policy](#), declared [rights and principles](#), and through author selection of Creative Commons (CC) licenses. We view license to publish agreements that purport to grant exclusive rights to publishers while ignoring explicit author intent and UC policy as a breach of trust by the publishers, both with authors and the institution. Given UC Project Transform's leadership in drawing attention to this publisher practice, we are confident that the Project Transform Negotiation Team, composed of librarians and faculty, will act with expediency to address this issue in the context of publisher negotiations.

The historic and ongoing partnership of the faculty and libraries on open access advocacy and advancement demonstrates the University of California's shared commitment and the power of collaborative action. Together, the faculty and libraries have negotiated 15 transformative [publisher agreements](#) that provide open access publishing eligibility for approximately 50 percent of UC articles; if planned UC negotiations are successful, about 70 percent of UC articles will be eligible by 2025. Further, UC manuscripts deposited in the [eScholarship](#) repository under UC's open access policies now total over 175,000 and have been accessed almost 18 million times by users in 240 countries and regions.

We commend UC faculty for the clarity of their support for author use of the CC-BY license (which allows distribution, remix, adaptation and building upon the material in any medium or format so long as attribution is given to the author), while also acknowledging some domain-specific needs for authors to include non-commercial and/or no-derivative restrictions on their work. We recognize that authors must be free to choose whichever license best aligns with their goals and values; further, they should be confident that publishers will not subsequently claim control of the rights that authors meant to reserve for themselves.

In advocating for open access and author rights retention, the University of California stands with researchers and research institutions from across the globe, as evident in the recent [final statement](#) made by 38 nations from six continents at the 16th Berlin Open Access Conference. We seek open access and author rights not just for the benefit of UC faculty, students, researchers, and clinicians, but to ensure that all Californians and the world can access research immediately and without barriers, and that all authors can be assured that their rights are honored.

We are grateful to the Academic Council, UCOLASC, and Project Transform for their action and resolve, and look forward to further success in our advancement of open access and seeking publisher transparency and accountability.

Sincerely,



Michael V. Drake, MD
President



Katherine S. Newman
UC System Provost and
Executive Vice President for Academic
Affairs

cc: Vice Chair Steintrager
Vice Provost Haynes
Associate Vice Provost and Executive Director Waibel
University Librarian and Professor MacKie-Mason
Director Bennett
Assistant Director Willmott