

**SPECIAL COMMITTEE ON SCHOLARLY COMMUNICATION
TELECONFERENCE MEETING MINUTES
APRIL 3, 2006**

Present: Larry Pitts, Amihai Glazer, Donald Brenneis, John Ober, Karen Butter, and Todd Giedt

I. Introduction/Updates

ISSUE/REPORT: Chair Pitts reported that Academic Council did not get to its discussion of the white papers at its last meeting. He reminded members that the Council review process consists of two phases: First it is discussed by the systemwide committees, and second, the divisional heads report back to Council with comments from their respective divisions. At its March meeting, Council did not get to the first round discussions, and both sets of discussion (systemwide and divisional) have been scheduled for the next Council meeting on April 19th. He also said that the staff at the Senate office summarize the comments and draft a pro/con synopsis on the given topic, which are distributed to Council members. He has expressed his willingness to come to the next Council meeting to answer any questions that may arise. He said that Council must approve the white papers and the proposed policy on copyright in principal in order to move the process forward. After Council approves the policy change (the copyright proposal), it is forwarded to the Office of the President (OP), which then conducts a thorough review. He assumes that the Standing Committee on Copyright will play a large role in this second review. He anticipates using the next teleconference (April 24th) to fine tune the white papers and the copyright policy proposal incorporating comments from the April 19th Council discussion.

DISCUSSION: One member noted that SCSC did receive some feedback on the copyright proposal from a copyright lawyer at Villanova, which helped to legally clarify the proposal. Even if the copyright proposal is not approved by Council in April, but the white paper on copyright is, this could be the basis of a reformulated copyright policy in the OP review. Dr. Pitts commented that this year's Council is very familiar with SCSC's work, and it is therefore advantageous to work hard to get it right this year, rather than waiting for next year's Council. However, he assured the committee that in case the copyright policy proposal is not approved this year, a special sub-group (composed of both SCSC and UCOP members) could be convened to work out the details of this policy proposal in order to bring it back to next year's Council in September.

II. Feedback from other Committees

ISSUE: Chair Pitts invited members and consultants to report on feedback that they have received from their local divisional (and other) committees.

DISCUSSION: The Irvine member said that his divisional committee liked the white papers, but they were concerned about the copyright proposal. UCI divisional members suggested that UC should negotiate directly with publishers to retain copyright on behalf of the faculty. A consultant reported similar comments from the San Francisco Library

Committee, which had concerns about the practical elements of the policy. Generally, both consultants and members reported that most faculty members, especially junior faculty, do not like the idea of having to individually negotiate their copyright with publishers of large journals, such as Nature. Consultant John Ober added that there is also some support to actually strengthen the policy proposal. At the Coordinating Committee of Graduate Affairs (CCGA) meeting in March, at which he spoke, members suggested requiring the Department Chair to sign-off on any opt-out before it is invoked by a faculty member. Members did not have anything substantial to report back on the CAP white paper, except that the San Francisco Library Committee requested that CAP issue a statement saying that they preferred electronic publications. However, CAP would not go that far. They did say that they would consider open-access or electronic publications on the same footing as any other form of publication though.

Chair Pitts commented that the status quo is such that the University does not own any of the copyrights, which is entirely owned by individual faculty members. Therefore, part of the impetus behind this policy is to transfer some rights to UC, which can then advocate on behalf of faculty with publishers. He remarked that while it may be easy for a publisher to force a single junior faculty member to give up his or her copyright in order to publish a first article, it would be much harder for publishers to do the same with 200 or so UC submissions. He thinks that the logistics of how this is done will be further developed during the implementation phase. One consultant suggested that UC may want to write a letter to top publishers shortly after this policy is enacted, not only informing them of the policy, but also providing them with a publication agreement that should be used with all UC authors. If the publisher still refuses to go along with the publication agreement, the individual faculty member can either invoke the opt-out clause or contact UC General Counsel for legal advice.

Chair Pitts also noted that there is a substantive difference between academic/scientific publications and more creative work such as novels, etc. There may need to be some specific categorizations of scholarly work, which may not be universally applicable to this policy. Chair Pitts encouraged members to think about these categorizations and the implications for this policy. On this point, members speculated on whether electronic publications hurt the sales of monographs/books. Consultant John Ober noted that there is some evidence from the UC Press to show that the electronic publication of books/monographs certainly did not hurt sales, and in some cases may have even helped sales.

ACTION: Chair Pitts charged Karen Butter and Dick Terdiman to talk with Lynne Withey of the UC Press about data that shows the effects of electronic publications on the sales of scholarly works.

III. Next Steps

ISSUE: Chair Pitts and Karen Butter will not be able to attend the next SLASIAC meeting on May 3rd, which is actually a joint meeting between SLASIAC and the Standing Committee on Copyright. Dr. Pitts felt that it would be good to have a seasoned

SCSC member be present at the next SLASIAC meeting, who could also report back to the committee at the April 24th teleconference.

DISCUSSION: Members suggested that Dick Terdiman, who members believe is a regular member of that group, should attend the next SLASIAC meeting and report back to SCSC. Amihai Glazer was selected as an alternate in case Dick could not attend. Consultant John Ober is also a member of SLASIAC and he will be attending the May 3rd meeting.

ACTION: Analyst Todd Giedt will check on the availability of Dick Terdiman to attend the next SLASIAC meeting.