COMMITTEE ON LIBRARY
Adele Clarke, PhD, Chair

MINUTES
Meeting of May 10, 2005

PRESENT: Adele Clarke, Karen Butter, Martin London, Judith Barker, Rich Schneider, Lisa Mix, Ralph Marcucio, Thomas Newman, Nancy Hessol, Adam Lloyd, Judith Barker

EXCUSED: Geoff Manly, Dyche Mullins, Kathy Shook, Dave Teitel, Greg Tully, Alexandra Shnoes, Steve Aucello

The meeting of the Committee on Library was called to order by Adele Clarke on March 10, 2005 at 2:06p.m.in Room CL 119. A quorum was present.

Approval of Minutes
The minutes of the March 10, 2005 were approved unanimously as amended.

Chair’s Report
Chair Clark made these announcements:

• Request for Chancellor’s Discretionary Funds. Chair Clarke updated the committee on the status of the Request for Chancellor’s Discretionary Funds which has been forwarded to the Chancellor by AP&B Committee. Chair Clarke lauded K. Butter’s great presentation which clearly made an impact on the panel.

• Campus Planning. AP&B has been attempting to become more involved in campus planning. There are deep concerns about faculty ability to provide input on these critical issues. Having AP&B involved around Parnassus space planning would be valuable. The COL has and will continue to address this issue.

• Chair Clarke introduced Tom Newman as the incoming chair.

• Fishbon Library at Mt. Zion. Chair Clarke regretted that little progress has been made in the effort to evaluate Fishbon Library and expressed the hope that incoming chair Newman will take this on. She asked K. Butter to give the Committee an overview of the funding situation at Mt. Zion: Fishbon Library was a community hospital until UCSF bought it about ten years ago. In the past, medical staff dues were used to fund the hospital. However, medical staff dues are going to be re-appropriated and the general feeling is that UCSF should fund the library. At the end of last year, the EVC sent us a communication requesting our input to which we
responded that the library should be funded for the rest of the year and that subsequent funding would be contingent on a usage study conducted by this committee. This usage study will be a major priority for 2005-2006.

- **Mission Bay.** The request for space from the library at Mission Bay has been rescinded. Additionally, the opening for the Mission Bay Community Center has been delayed which will also delay the opening of the library in the Community Center.

**Librarian’s Report**

K. Butter made these announcements:

- **Campus Planning.** K. Butter further commented on AP&B’s efforts to be involved in planning processes. While it is unclear how they are going to get involved, she recommended that committee follow up and assist in any way possible.

- **Meeting With the Library Space Consultants.** K. Butter found the meeting extremely insightful. She will be receiving a report of recommendations from the committee and will forward them onto this Committee for review. J. Barker also found the meeting very useful primarily because both libraries are retaining space in light of increasing digitization and secondarily because the Harvard Health Sciences Library in particular had an intellectual mission that meshed well with UCSF’s mission. Additionally, G. Persily is working on creating and distributing surveys for students. The Advisory Committee is looking at other ways to collect information from faculty about their future use of libraries.

- **Mission of the Library.** K. Butter is continuing to work on the mission of the library. (Attachment A) She solicited input from the Committee. M. London suggested that the mission focus more on the scholarly publication crisis and less on space issues. The Committee expressed great concern over perpetual access and the need to retain it. Some members were also concerned about stack access. Other concerns included: protecting the rare book collection and promoting a relationship with other UC campuses.

- **NIH Public Access Policy.** As K. Butter informed the Committee last time, the new NIH Policy Enhancing Public Access to Archived Publications Resulting from NIH-Funded Research was implemented on May 2nd. (Attachment B) Currently, the library staff is developing web pages with resources including a tool kit on what to do and who to call. They are also considering sending a letter to faculty alerting them to the new policy and pointing them to the website. K. Butter suggested that the letter come from Academic Senate. At the systemwide level, there is discussion regarding developing specific standard language for faculty use. K. Butter distributed an early draft of the NIH public access website. (Attachment C)

- **University Resolution.** K. Butter distributed sample resolutions from various universities. (Attachment D) She asked the Committee to determine whether or not
UCSF should draft one and if so, to start thinking about what issues should be highlighted.

- **E-scholarship Repository.** K. Butter distributed a report detailing UC’s work on developing an e-Scholarship repository. G. Persily followed with a powerpoint presentation which gave an overview of the repository. K. Butter hopes to get a letter out to faculty informing them of their ability to reserve some of their rights.

Since there are still issues to discuss (such as scheduling for next year and review of the subcommittee report), the committee will be meeting in June.

Chair Clarke thanked the committee for their service and hard work and K. Butter commended Chair Clarke for her leadership.

There being no further business, Chair Clarke adjourned the meeting at 3:17 pm.
# Meeting Attendance Record

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LONG-RANGE LIBRARY PLANNING

Introduction

Historically, libraries have been designed as places to collect, access, and preserve print collections. To meet today’s academic and clinical needs it must reflect the values, missions and goals of the institution, while also accommodating new information and learning technologies and ways in which we access them. As an extension of learning it should embody new pedagogy, including collaborative and interactive learning modalities and provide resources and tools to support clinical and research. And it should serve as the principal building on campus where one can experience and benefit from the institution’s intellectual community.

The UCSF Library building opened fifteen years ago in August 1991, designed as a library for the 21st Century. It was conceived as a building fully equipped to accommodate digital technologies. Since then there are dramatic changes in the conceptions of library roles and the needs for and characteristics of library facilities. We must now consider new forms, formats and methods of accessing and delivering information, new methods of teaching, learning, and research, the blurring of boundaries between libraries and other components of the UC learning and information environment, as well as the rapidly changing external environment.

With the recent and rapid emergence of information technologies many predicted that a virtual library would replace physical libraries. Use data and comments from the user community presents an opposite view. Library statistics demonstrate that use of the UCSF Library building continues at a steady pace.

The library, a combination of past and present, must be viewed with new perspective and understanding to meets its objectives in adding value to the advancement of the institutions mission and in moving the institutions into the future. The library is the one centralized location that merges new information technologies in a user-focused, service-rich environment to supports today’s patterns of learning, teaching and research. While the internet isolates people the library’s role is the opposite. Students go to the library because it brings people together and adds value.

We must now reconsider the link between academic needs and library collections and services, assess the implications for the facilities and to present a new vision to the UCSF community. Questions we need to answer include the changing functions of a library over the next 5, 10 and 15 years. How will students acquire and use information as they learn? How will the learning styles of today’s students change the organization and functions of the library? What are the research information needs of faculty and what roles are possible for the library? What are the universities expectations for stewardship of library collections (books, journals, rare materials, archives, digital resources)? How can libraries best support the information requirements of the clinical enterprise?
The following vision outlines emerging issues for the redesign of library space.

**VISION FOR THE UCSF LIBRARY IN 2015**  
**DRAFT #3 –**

*What a Library is depends on what it does; it is a social enterprise, a physical structure, a symbolic site of collective memory.*  
*Thomas Augst*

The Mission of the UCSF Library is to advance science, foster excellence in teaching and learning, and promote health through the collection, development, organization, preservation, and dissemination of the world's health sciences knowledge base. Thus, libraries bring together the collective wisdom of the world for knowledge generation and decision making. The Library building serves as a focal point in working toward this vision.

The following will guide future building design.

- The Library will shift its collection from a primarily print to digital requiring re-organization of services and systems. Shelving for print materials will be reduced with significant numbers of print volumes located offsite and with systems in place for rapid delivery.

- The Library will remain central to campus life as a place to socialize, learn, and contemplate. Individuals using the building will continue to place high value on the sense of openness, spacious views and comfortable surroundings conducive to learning and reflection. The Library serves as neutral territory offering a user-focused, service-rich environment for collaboration, teaching and learning across disciplines, schools and programs.

- Library space will be configured with maximum flexibility for new technologies and space configuration.

- The Library will create virtual and physical environments to facilitate learning, exploration and use of information. The spaces will allow individuals to collaborate and interact with advanced learning technologies and organized to serve the needs of solitary users, small and large groups as well as temporary work space for faculty.

- The Library space will be used to teach information competencies in areas such as the critical evaluation of the literature, advanced scientific databases, knowledge management techniques and for demonstration of newly released information tools and products.

- The Center for Instructional Technology will expand its services and workspace as technology supports easy, seamless integration between digital resources and learning management systems. Advanced systems will allow faculty and staff to easily develop online curricular materials integrating content from clinical, research and image databases, textbooks and journal articles.
• A café will be a favorite destination with comfortable seating and high speed technologies for social interaction and relaxation.

• The Library will develop new consolidated information services so that users have ready access to dedicated, service-oriented staff, resources and technologies at the point of need, regardless of physical location.

• The Library will partner with other academic programs and services sharing space when there is close interaction/collaboration and intellectual affinity.

• The Center for Knowledge Management staff will collaborate with faculty and staff to develop informatics tools and databases that support activities from knowledge creation to knowledge utilization.

• The campus will build upon the distributed library systems in place now (Mt. Zion, SFGH, Mission Bay and Parnassus) so that they each have a significant role in moving toward the library of the future.

Karen Butter
May 5, 2005
Policy on Enhancing Public Access to Archived Publications Resulting from NIH-Funded Research

Notice Number: NOT-OD-05-022

Key Dates
Release Date: February 3, 2005
Effective Date: May 2, 2005

Issued by
National Institutes of Health (NIH), (http://www.nih.gov/)
Department of Health and Human Services

Action
Notice; Final Policy Statement

Summary
The National Institutes of Health (NIH) announces its policy on enhancing public access to archived publications resulting from NIH-funded research. Beginning May 2, 2005, NIH-funded investigators are requested to submit to the NIH National Library of Medicine's (NLM) PubMed Central (PMC) an electronic version of the author's final manuscript upon acceptance for publication, resulting from research supported, in whole or in part, with direct costs from NIH. The author's final manuscript is defined as the final version accepted for journal publication, and includes all modifications from the publishing peer review process.

This policy applies to all research grant and career development award mechanisms, cooperative agreements, contracts, Institutional and Individual Ruth L. Kirschstein National Research Service Awards, as well as NIH intramural research studies. The policy is intended to: 1) create a stable archive of peer-reviewed research publications resulting from NIH-funded research to ensure the permanent preservation of these vital published research findings; 2) secure a searchable compendium of these peer-reviewed research publications that NIH and its awardees can use to manage more efficiently and to understand better their research portfolios, monitor scientific productivity, and ultimately, help set research priorities; and 3) make published results of NIH-funded research more readily accessible to the public, health care providers, educators, and scientists.

This final NIH Public Access Policy (the “Policy”) reflects modifications and clarifications to the proposed policy released September 3, 2004, in the NIH Guide for Grants and Contracts and September 17, 2004, in the Federal Register and the more than 6,000 public comments received through November 16, 2004. The most significant change in the Policy from that originally proposed is to provide more flexibility for authors to specify the timing of the posting of their final manuscripts for public accessibility through PMC. The proposed policy indicated a six-month delay of posting through PMC. The Policy now requests and strongly encourages that authors specify posting of their final manuscripts for public accessibility as soon as possible (and within 12 months of the publisher’s official date of final publication). The Policy also clarifies that the publication date is the publisher’s official date of final publication.

Effective Date: May 2, 2005

For further information Contact: Office of Extramural Research, National Institutes of Health, 6705 Rockledge Drive, Room 350, Bethesda, MD 20892-7963 or by e-mail to PublicAccess@nih.gov.

Supplementary Information:

Table of Contents
I. Background

It has long been NIH policy that the results and accomplishments of the activities that it funds should be made available to the public. Principal Investigators (PI) and grantee organizations are expected to make the results and accomplishments of their activities available to the research community and to the public at large. It is estimated that the results of NIH-supported research were described in 60,000 – 65,000 published papers in 2003. We believe that widespread access to and sharing of peer-reviewed research publications generated with NIH support will advance science and improve communication of peer-reviewed, health-related information to scientists, health care providers, and the public.

As part of on-going efforts to gather perspectives on the issue of public access to research publications, the NIH held a series of meetings to hear and consider the opinions and concerns of publishers, scientists, patient advocates, and representatives of scientific associations and other organizations. The meetings were designed to ensure that discussions of stakeholder issues could occur. The NIH extended invitations to a broad base of participants to ensure balanced representation of opinions. In many cases, a participant represented more than one perspective, such as a scientist who was also a journal editor and reviewer of scientific manuscripts.

After carefully considering the views of publishers, patient advocates, scientists, university administrators, and others, the NIH published its proposed NIH Public Access Policy in the NIH Guide for Grants and Contracts on September 3, 2004, http://grants.nih.gov/grants/guide/notice-files/NOT-OD-04-064.html and in the Federal Register on September 17, 2004, http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/04-21097.htm for public comment. During the comment period, the NIH received over 6,000 comments via web, fax, mail, and e-mail. Many comments were received from organizations representing multiple constituents. The NIH developed Questions and Answers to clarify the proposal as issues were raised regarding it; these are available at: http://www.nih.gov/about/publicaccess/publicaccess_QandA.htm.

This final Policy reflects consideration of public comments received on the proposed policy through November 16, 2004, i.e., 60 days from the date of publication of the proposed policy in the Federal Register.

The Policy is intended to: 1) create a stable archive of peer-reviewed research publications resulting from NIH-funded research to ensure the permanent preservation of these vital published research findings; 2) secure a searchable compendium of these peer-reviewed research publications that NIH and its awardees can use to manage more efficiently and to understand better their research portfolios, monitor scientific productivity, and ultimately, help set research priorities; and 3) make published results of NIH-funded research more readily accessible to the public, health care providers, educators, and scientists.

II. Public Comments and NIH Responses

A. Need for the Policy

The public comments were largely supportive of the proposed policy to enhance public access to archived publications resulting from NIH-funded research. Comments noted that this policy provides equal and timely access to all via the Internet and that this accessibility should improve individual health outcomes. Many scientists appreciated that the policy would improve the visibility of their work. A large number of comments suggested that publicly-funded research publications should be made accessible to the public in full-text version in a timely manner. Many commenters expressed support for the policy given their concerns about the high and rising cost of subscriptions to scholarly journals, especially in the areas of science, technology, and medicine.
Other commenters questioned the need for the policy and considered it redundant to existing information sources and systems. Some questioned the added value of the policy and noted that journals increasingly are making full-text articles available immediately upon or within one year of publication through a variety of sources. Commenters noted that many of these articles are already linkable through the NLM PubMed web-based literature retrieval system that contains citations and abstracts from thousands of journals, dating back to 1950. A significant number of comments also questioned why the NLM could not simply provide a link to the publisher's website, or work with existing vendors to broaden offerings to include peer-reviewed publications not associated with NIH funding.

The primary purpose of the NIH Public Access Policy is the creation of a stable archive to ensure the permanent preservation of vital, peer-reviewed research publications resulting from NIH-funded research findings now and for future generations. While links exist to journal articles that are publicly accessible, these are not sufficient because publishers' websites are not permanently available nor consistently maintained. Additionally, the formatting of journal articles may vary significantly among publishers' websites. The Policy addresses this deficiency in that all articles in PMC, regardless of their original format, are converted into a single, explicit, and well-specified data format. This format is known as the NLM Journal Article Extensible Markup Language (XML) Document Type Definition (DTD). Further, as new needs arise, and as technology and applications change, there is a single, uniform base upon which to build.

 Preservation of the biomedical literature is a responsibility that is specifically mandated in NLM's authorizing legislation, found at 42 U.S.C. 286(b)(1), and one that has successfully been carried out by the NLM since 1836. It is logical in this electronic era to expect libraries, and particularly national libraries, to continue this vital function, including keeping pace with the ever-changing technology surrounding document preservation. Updating the data formats to keep up with the changes in technology and the needs of biomedical research requires an ongoing investment in research and development, which is within the NIH mission. As the electronic article increasingly becomes the authoritative and most useful document for researchers and as scientists are actually computing on the contents of these documents - the text itself as well as the associated data - the impermanence of the publishers' websites presents a substantial risk. Creating such an archive is a historical and necessary NIH responsibility.

NIH believes that the NIH Public Access Policy will effectively advance its stated goals. By storing research publications from diverse sources in a searchable, electronic archive with a common format, PMC facilitates greater integration with related resources in other NLM databases such as DNA and protein sequences, protein structures, clinical trials, small molecules (PubChem), and taxonomy thus providing the opportunity to develop unprecedented scientific search and analysis capabilities for the benefit of science. One of the primary goals of PMC is the creation of a permanent, digital archive of journal literature, which by definition, means the full text must be deposited in PMC. This searchable archive will enable NIH program officials to manage their research portfolios more efficiently, monitor scientific productivity, and ultimately, help set research priorities. This strategy also will enable NIH to advance its goal of creating an end-to-end, paperless grants management process. Finally, it will make the publications of NIH-funded research more accessible to and searchable for the public, health care providers, educators, and scientists.

A few commenters asked NIH to strengthen the proposed policy to make submission to PMC a requirement instead of a request. We believe that the voluntary nature of the final policy is preferable to a "one size fits all" requirement, as it permits sufficient flexibility to accommodate the needs of different stakeholders and leaves the ultimate decision in the hands of our scientific investigators who are the best to judge the scientific circumstances and the time frame under which their work may be made accessible to the public at large. It is worth clarifying that NIH does not require or expect that PMC be the sole repository for NIH-funded research publications. Others may choose to post and/or archive peer-reviewed publications resulting from NIH-funded research, subject to applicable laws or permission from any copyright holders.

B. Scope of the Policy

The NIH Public Access Policy applies only to peer-reviewed research publications that have been supported, in whole or in part, with direct costs from NIH. Numerous comments reflected misunderstandings about the scope of the policy as it was proposed. Some comments sought to broaden the Policy to include publications from non-NIH-supported investigators, and others asked that it include publications that did not contain original research findings, e.g., book reviews.

The Policy does not apply to contributed book chapters, editorials, reviews, or conference proceedings. Although PMC does contain articles from non-NIH-supported research, the Policy is focused on final, peer-reviewed manuscripts and publications that result from research supported, in whole or in part, with direct costs from NIH.
C. Potential for Public Misunderstanding of Research Findings

A number of comments questioned the lay public's ability to understand fully original research publications, and expressed fear that potential harm could result from misinterpretation of them.

We believe that individuals who seek to read publications concerning a particular disease, health condition, or treatment should not be denied access because of the possibility that they will misunderstand the publications. Rather, NIH encourages such individuals to become educated consumers about their health care and related research, and to consult with health care professionals for specific guidance. It is important that NIH-supported research publications be made more readily available to provide credible information and to improve public understanding of the benefits of scientific research. The public demand for credible health information is clear. About 93 million Americans searched for at least one of 16 health topics online within the past year. In a 2003 survey, 58 percent of Internet users said they brought information obtained from the Internet to their doctor's office.

The NIH is strongly committed to conveying the importance of the research it funds to the public. Each NIH Institute and Center has an active staff that produces high-quality educational and informational materials on various health and research topics, many of which highlight the publications of NIH-funded researchers. Institute and Center staff, often with the assistance of third parties and patient advocacy groups, works diligently to develop, review, and disseminate these products. For example, the National Library of Medicine's consumer health site, Medline Plus (http://www.nlm.nih.gov/medlineplus/) houses extensive information on over 650 health conditions. NIH believes that these products effectively advance NIH's strong commitment to improving public health through research.

The Policy specifically relates to original research publications. NIH needs to compile these publications into a single archive in order to manage its research portfolio better and monitor its funding choices. NIH recognizes that providing public access to this electronic archive, may also help scientists, policymakers, doctors, patients and the lay public to understand better the research that NIH funds.

D. Version Control and Quality of Manuscripts

Some commenters raised concerns about potential confusion resulting from differences between the author's final manuscript within PMC and the published version of the corresponding article at journal-sponsored websites. Others questioned how corrections, retractions, and other post-publication changes will be accommodated.

Through this Policy, NIH is requesting that NIH-funded investigators submit an electronic version of the author's final manuscripts resulting from research supported, in whole or in part, with direct costs from NIH, after all changes resulting from the peer review publication process have been incorporated. A growing number of journals are currently posting final author manuscripts to provide timely access to their subscribers prior to final publication of the publisher's copy edited version. In addition, under the Policy, the final manuscript will not be made available to the public through PMC until after the copyedited version is published by the journal. Corrections and other necessary revisions of author's final manuscripts will be accommodated. Furthermore, when publicly available, the published article on the journal-sponsored website and the author's final manuscript in PMC will be appropriately linked through PubMed. Corrections and post-publication comments referring to a publication are currently identified and linked in PubMed, and this capability will be linked to the corresponding manuscript in PMC. If publishers wish to provide PMC with the publisher's final version, this version will supersede the author's final manuscript in PMC.

E. Potential for Acceleration of Medical Cures

A few commenters questioned whether the proposed policy, and enhanced access to NIH-funded publications, will facilitate scientific progress and accelerate research for medical cures.

We believe that improved access through PMC to peer-reviewed, final manuscripts of NIH-supported investigators will facilitate scientific progress because it will enable NIH to manage better its research portfolio and funding choices. The NIH encourages the sharing of ideas, data, and research findings to help accomplish its important public mission to uncover new knowledge that will lead to better health for everyone. As such, we envision that the PMC resource will have widespread and varied uses for the research community. It will create a stable, permanent, and searchable archive of peer-reviewed research publications that NIH and the public can access, without a fee, to review scientific productivity, monitor the state-of-the-science, and apply such knowledge in other ways to accelerate medical research. Greater interconnectivity and functional integration between the multiple and large research data bases (e.g., Genbank and PubChem) and an archive of NIH-funded publications has the potential to enhance research in novel ways.
F. Potential Economic Impact on Journal Publishers

Commenters contended that NIH had not carefully considered the potential adverse economic impact of its proposed policy on publishers, in particular, not-for-profit professional and learned societies and associations that rely on subscriptions to cover costs. The consequences of the proposed policy for many small journals, as well as bimonthly and quarterly journals, were of particular concern to some. Concern also was raised that relative to commercial publishers, not-for-profit publishers would be more disadvantaged because they often support highly specialized areas that tend to draw greater representation by NIH-funded researchers. Others questioned the fairness of allowing publishers to continue to profit by restricting access to health-related information.

Publishing patterns vary from year to year and from one journal to another. Using 2003 data, NLM estimates that, on an annual basis, publications resulting from NIH-funded research represent approximately 10 percent of the articles in nearly 5,000 journals indexed by PubMed. In addition, for only one percent of these journals do NIH-funded articles account for more than half of the total published articles. As such, it is unlikely that scientists and libraries would use the NIH Public Access Policy as the rationale for replacing their journal subscriptions. If they did, they would be able to access only a fraction of a journal's content. It also is important to note that there are many other journal offerings, such as science news, industry information, literature reviews, job announcements, functional websites, and other time-sensitive products that bring value to the reader but are not a part of the PMC archive. Access to journal articles through the NIH archive might increase Internet traffic to those journals, by both the scientific community and the general public.

The NIH supports the current publishing process by providing its funded investigators with an estimated $30 million annually in direct costs for publication expenses, including page and color charges and reprints. In addition, NIH provides funds, through indirect costs, to research institutions for library journal subscriptions and electronic site licenses. NIH also supports the current process by encouraging publication of NIH-supported original research in scientific journals.

NIH has made modifications to the proposed policy to provide greater flexibility to accommodate the range of business models represented by large commercial publishing houses through the smaller specialized journals of learned societies. The most significant change is to allow authors to specify the timing of the posting for public accessibility through PMC of their final manuscript. The NIH intends to maintain its dialogue with publishers and professional and learned societies as experience is gained with the Policy.

A NIH Public Access Advisory Working Group of the NLM Board of Regents will be established. The Working Group will be composed of stakeholders that will advise NIH/NLM on implementation and assess progress in meeting the goals of the NIH Public Access Policy. Once the system is operational, modifications and enhancements will be made as needed with the Working Group, or a permanent subcommittee of the Board, providing ongoing advice on improvements.

G. Potential Impact on Journal Peer Review

NIH recognizes the enormous value and critical role that peer-reviewed journals play in the scientific quality control process. Only peer-reviewed articles accepted for publication will be posted in PMC. Some commenters asked if scientific integrity would be compromised if journals were to go out of business, thus significantly narrowing journal options for authors. A few commenters feared that the NIH proposed policy would limit an author's freedom to publish how, when, and where he or she chooses.

We do not believe that the Policy will compromise scientific integrity or significantly narrow journal options for authors. While NIH encourages investigators to publish and share the results of the research that it funds, NIH does not dictate the means of publishing the research it supports. This Policy is designed to preserve the critical role of journals and publishers in peer review, editing, and scientific quality control processes. It is not intended to alter in any way the manuscript submission process, investigator choice of journal for publication, or existing publication process.

NIH highly values traditional routes of research information dissemination through publication in scientific, peer-reviewed journals. Peer review is a hallmark of quality for journals and is vital for validating the accuracy and interpretation of research results. Publication in peer-reviewed journals is a major factor in determining the professional standing of scientists; institutions use publication in peer-reviewed journals in making hiring, promotion, and tenure decisions. NIH also values the communities of research created by scientific organizations and the journals they publish. By not mandating but instead requesting from our investigators that access be provided to the public within a range of acceptable delays extending from 0 to 12 months, the NIH believes that its Public Access Policy...
addresses the concerns raised by both for-profit and not-for-profit publishers and will ensure that peer review of
scientific articles is preserved. The NIH believes that archiving and making publicly accessible NIH-funded biomedical
and behavioral literature after a reasonable time delay can preserve the critical role of journals and publishers in peer
review, editing, and scientific quality control. The policy should have no effect on the author's choice of journal. We
expect that greater access to research publications will increase the impact of the publicly-funded research. For
example, there is emerging evidence that easier access increases impact as measured by the number of times a
paper is cited.10

H. Potential Impact on Scientists

A number of comments expressed the concern that researchers would be adversely affected by the proposed policy if
publishers experienced a decline in subscriptions and subsequently chose to increase charges to authors. It was
suggested that higher charges would disadvantage disproportionately researchers with more limited resources. In
addition, some researchers were concerned that the proposed policy would create an additional burden on them.

NIH-funded investigators are expected to make the results and accomplishments of their activities available to the
research community and to the public at large. Consequently, NIH considers publication costs, which include fees
charged by a publisher, such as color and page charges, or fees for digital distribution, to be allowable charges to NIH
research awards.

Concerning burden, public access submissions will provide NIH-supported investigators with an alternate means by
which they can meet and fulfill the current requirement to provide a copy of each publication in their progress reports
and other application and close-out procedures. It is anticipated that investigators applying for new and competing
renewal support from the NIH will utilize this resource by providing links in their applications to their PMC - archived
information. NIH, therefore, anticipates that this process may reduce, rather than increase, burden for investigators.

It is also worth noting that the development of a searchable archive of published findings from NIH-supported research
will be a rich resource for all scientists. Access to such information not only will make it easier to investigate a specific
area of research, but also may lead to identification of new research questions.

I. Open Access Publication and the NIH Public Access Policy

Some commenters believed that the NIH Public Access Policy constitutes an open access model of publishing. The
NIH Policy is not a form of publishing; rather, it creates a stable archive of peer-reviewed research publications
resulting from NIH-funded research. In addition, the Policy does not dictate the means of publishing but is compatible
with any publishing model that authors and journals choose to employ. For example, some subscription journals
already allow free electronic access to published manuscripts directly from their websites after an embargo period. In
addition, one survey reports as many as 92 percent of journals allow authors to self-archive either a postprint (79
percent) or preprint (13 percent) of the article on personal websites or on their institution's website11. Copyright to all
material deposited in PMC remains with the publisher, individual authors, or awardees, as applicable. PMC currently
includes a copyright notice alerting the public to the rights of copyright holders and will continue to post this notice as it
has done in the past.

J. Waiting Time to Public Access

The proposed policy published in September 2004 indicated that with the author's permission, the NIH would make the
author's final manuscript available to the public no later than 6 months after the date of official publication as
determined by the publisher. Many commenters considered the 6-month waiting time to be a reasonable compromise,
though some believed the waiting time should be considerably shortened. Some recommended that the waiting time
be 12 months or longer, particularly because 12 months rather than 6 months is currently the prevailing model among
journals that already provide free, delayed, full-text access. Some commenters also noted that the vast majority of
journals currently offer no free public access at all, thus arguing that a 6-month waiting time is too aggressive.

The NIH has tried to balance the legitimate needs of journal publishers with its interest in creating a permanent archive
of peer-reviewed research publications resulting from NIH-funded research. There is a wide range of time-to-access
policies within the publishing world. Some of the variables that affect time-to-access include differences among
scientific fields (e.g., clinical versus basic research), and variability in business models determined by a range of
issues including number of article submissions, acceptance rate and subscription base.
After considering the views of scientists, publishers, patient advocates, librarians, research administrators, professional societies, and others, the final Policy provides authors with the ability to specify when their final manuscript will be made available to the public through PMC. Posting for public accessibility through PMC is strongly encouraged as soon as possible (and within twelve months of the publisher's official date of final publication). This Policy provides greater flexibility for participation. Further, it addresses the agency's interest in establishing a permanent archive of peer-reviewed research publications resulting from NIH-funded research in a timely manner.

K. Politicization of Science

Some commenters suggested that a centralized, government-operated repository could compromise the integrity of the scientific record, be subject to government censorship, and be susceptible to the politicization of science and the variability of funding levels and changes in agency management.

Congress assigned to the NLM the responsibility to acquire, organize, disseminate, and preserve biomedical information for the benefit of public health. As part of this responsibility, the Policy will create a stable archive of peer-reviewed research publications resulting from NIH-funded research to ensure the permanent preservation of these vital published research findings. Agency policy is not to restrict or suppress the content of PMC.

L. Implementation Costs

Many commenters expressed concern that the costs associated with archiving NIH-funded manuscripts in PMC have not been clarified, or that costs are understated. Some publishers reported spending on the order of hundreds of millions of dollars over the past decade to improve online access to their journal offerings, which led to skepticism about the validity of NIH's estimates. These commenters are concerned that allocating funds for an expanded PMC archive would compete with funds available to support original research. Other commenters expressed concern that continued funding for the system may not be available in the future.

By building on an existing information technology infrastructure housed at the NLM, the NIH Public Access Policy can be an exceptionally cost-effective means to accomplish its goals of archiving, facilitating program management, and enhancing accessibility. Estimates of $2-$4 million per year reflect incremental costs to create and then maintain a website for submitting authors' final manuscripts and for Extensible Markup Language (XML) tagging of the manuscripts into PMC's archival format. These estimates reflect PMC's experience with a back-scanning project which has generated and tagged electronic versions of more than 200,000 printed articles in the last year. The roughly 50,000–70,000 manuscripts a year for the new NIH Policy will be tagged in a similar manner and incorporated into PMC using a single, consistent digital format. The NIH is committed to maintaining and enhancing the existing PMC infrastructure to achieve the agency's goals.

Some questioned if additional support will be provided to investigators to cover potential increases in publication costs. The NIH awards direct costs to many investigators who request publication costs in their proposed budgets. The NIH estimates that it pays over $30 million annually in direct costs for publication and other page charges in grants to its investigators. Generally, page charges for publications in professional journals are allowable, if the published paper reports work supported by the grant and the charges are levied impartially on all papers published by the journal, whether or not they are submitted by government-sponsored authors. As with all other costs, NIH expects its investigators to be careful stewards of Federal funds and to manage these resources appropriately. Grantees may rebudget funds to support these costs, but NIH will consider all other options to ensure that budgets are not affected unduly which should be achievable given the voluntary nature of this request.

M. PMC's Capacity and Functionality

Comments supporting the proposed policy noted that online access was desirable because it was centralized, cheaper than accessing a print version, and easier to access. Some comments expressed limited confidence in PMC's ability to keep pace with the current volume of publications, or to handle a large influx of additional manuscripts. Several comments requested that PMC add more functionality to address the increased amount of content.

NLM's National Center for Biotechnology Information supports many large production services, including GenBank, PubMed, and PMC, handling over 3 million queries daily from more than 1.2 million unique users. Since PMC went live in 2000, there have been no delays for any active production PMC journal due to production lags or technical problems at PMC. In addition to incorporating content provided by publishers, the PMC back-scanning project has generated and tagged electronic versions of more than 200,000 printed articles in the last year. The roughly 60,000 manuscripts a year for the new NIH Policy will be tagged in a similar manner and incorporated into PMC using a single, consistent digital format.
A commercial service monitors PMC's website performance and reliability. Based on over 22,000 measurements in a recent two-week period, articles were successfully returned for 98.5 percent of the requests to PMC. This compared during the same two-week period to a 92 percent average success rate for 40 of the largest commercial websites monitored by the same service. The average response time to download a PMC article has been 2.8 seconds.

Another key advantage of PMC is that the articles returned by a PMC search are automatically linked to a variety of research-related resources in other NLM databases, such as DNA and protein sequences, protein structures, clinical trials, small molecules (PubChem), and taxonomy. These databases also provide linkage to a broad collection of other biological and health-related information resources. Investigators applying for new and competing renewal support from the NIH can also utilize this resource by providing links in the applications to their PMC-archived information.

N. Domestic and International Coordination

A number of commenters urged the NIH to coordinate with other scientific agencies in the United States and internationally, while others countered that providing unrestricted access to non-U.S. individuals would represent a subsidization of scientific knowledge outside the United States that disadvantages American scientists.

We believe that American scientists and global health will benefit from greater access to research publications leading to increased collaborative efforts worldwide. In an increasingly interdependent world, the United States and nations around the globe not only share the risk of diseases, but also the challenge to respond. This can best be accomplished in an environment in which rapid communication is possible, wherein scientific knowledge is readily available to all, and where research is conducted based on partnership. This environment will also foster continued U.S. leadership in science.

O. Timing of the Policy's Implementation

Many commenters sought to delay the Policy's implementation, expressing strong concerns that the proposed policy had not been adequately analyzed for short- and long-term impacts. Commenters called for more dialogue and consideration. Others called for more formal studies before Policy implementation.

The request for investigators to submit the authors' final manuscripts to PMC is not a requirement. The NIH instead is providing guidance to conform to a long-standing NIH policy that the results and accomplishments of NIH-funded research activities should be made available to the public. The Policy encourages voluntary cooperation of investigators, and it does not penalize investigators who choose not to use PMC to submit pre-print hard copy versions of their manuscripts as part of their progress reporting requirements.

Timely implementation of the Policy will allow NIH to manage more efficiently and to understand better its research portfolio, monitor scientific productivity, and ultimately, help set research priorities. Also, because many commenters highlighted the public's desire for enhanced access to scientific publications in a timely manner, NIH is confident that this Policy will not only advance science but will benefit the scientific community, the public, and the NIH.

This Policy is subject to periodic review based upon lessons learned in the course of its implementation. Issuance of this Policy is the beginning of a process that will include refinement as experience develops, outcomes are evaluated, and public dialogue among all the stakeholders is continued.

A NIH Public Access Advisory Working Group of the NLM Board of Regents\(^2\) will be established. The Working Group will be composed of stakeholders that will advise NIH/NLM on implementation and assess progress in meeting the goals of the NIH Public Access Policy. Once the system is operational, modifications and enhancements will be made as needed with the Working Group, or a permanent subcommittee of the Board, providing ongoing advice on improvements.

P. Legal Issues

NIH received several comments and objections of a legal nature.

1. Request vs. Required: Some commenters argued that the proposal is mandatory, even though the proposal
requests, rather than requires, submission of final manuscripts to NIH. As evidence, they note that NIH plans to monitor submissions as part of the grants close-out process and that the proposal states that the submission will fulfill the current requirement to submit one copy of each publication in the annual or final progress reports. One commenter also asserted that reading the proposal as a requirement would be consistent with House Appropriations Committee Report language in H.R. Rep. No. 108-636.

The final Policy reiterates that submission of the electronic final manuscript is voluntary and that it can serve as an alternate means for meeting current progress reporting requirements as well as application and close-out submissions in the future. The monitoring referred to in the proposed policy referred to determining whether the final manuscripts had already been submitted electronically. We have removed that language from the final Policy to avoid any confusion. The House Appropriations Report did propose requiring submission; however, the NIH Policy requesting, rather than requiring, submission is consistent with the final report language found on page 1177 of the Joint Explanatory Statement in H.R. Rep. No. 108-792.

2. **Copyright:** NIH received comments that the proposal infringes on copyright interests of Federal grantees. These commenters argued that copyright interests are well-established under Federal law, that NIH has no authority to alter them, and that the proposal is not consistent with controlling Department of Health and Human Services (HHS) regulations. They believe the proposal fails to recognize the need for copyright permission from authors and/or publishers. They argue that neither the principle of fair use, nor the Federal purpose license, can be used by NIH to implement the proposal. Finally, they argue that the PMC “open access” submission agreement constitutes a forced license and undermines copyright.

The Policy explicitly recognizes and upholds the principles of copyright. First, submission of final manuscripts is voluntary rather than mandatory; the voluntary submission to NIH by authors and institutions under the Policy constitutes permission to post the manuscripts on PMC and release to the public after the submitter’s specified post-publication delay time. The fair use exemption to copyright infringement does not apply to the government’s request for the manuscripts. It applies to the public use of the manuscripts as posted on PMC and provides a limitation on such use consistent with the terms of that exemption.

NIH does not need to seek permission from journals who may acquire copyrights from authors or institutions because any copyright transfer or assignment is currently subject to the government purpose license pursuant to 45 C.F.R. 74.36. Although the NIH is relying on permission, rather than the government purpose license, as the basis for its Policy, the government purpose license is fully available as a legal authority under which manuscripts could be reproduced, published, or otherwise used for Federal purposes. The comment that the proposal is not consistent with controlling HHS regulations granting copyright is not persuasive, since those same regulations grant the agency its government purpose license.

Finally, authors can indicate what copyright restrictions, if any, apply to their manuscripts when submitting them to PMC and can choose an appropriate PMC submission agreement that recognizes those rights.

3. **Government purpose copyright license:** NIH received a comment that the government purpose license of 45 C.F.R. 74.36 cannot be used by the government as a basis to post final manuscripts on PMC.

Although the NIH, at this time, is not relying on the government purpose license, it is an available means for NIH to reproduce, publish or otherwise use copyrighted works resulting from NIH funding for Federal purposes, as well as to authorize others to do so. Arguments put forth and cases cited by the commenter as support for the premise that the government purpose license could not be used as a basis for PMC to post the manuscripts are not persuasive. None of the cases address circumstances where a government agency is acting to fulfill its own statutory purposes with regard to publications resulting from its own research funding. Creation of a publicly accessible, permanent archive of NIH-funded research publications is squarely within the statutory authorities of the NIH and the NLM and clearly constitutes a Federal purpose.

4. **Other intellectual property concerns:** One commenter suggested that the proposed policy undermines other aspects of intellectual property because problems would result if the principle that “the taxpayers have already paid for the research” were also applied to patents, pharmaceuticals, and other products of government-funded research.

The NIH Public Access Policy is not based on the principle of delivering a product to the taxpayer in return for research support. The Policy calls for the voluntary submission of final author manuscripts; it does not affect the ability to copyright. Funding recipients may continue to assert copyright in works arising from NIH-funded research, and they may assign these rights to journals as is the current practice. Copyright holders may enforce these copyrights as
before. A member of the public viewing or downloading a copyrighted document from PMC is subject to the same rights and restrictions as when copying an article from the library. For example, making a copy of an article for personal use is generally considered to be a "fair use" under copyright law. For uses that fall outside of the fair use principle, permission to reproduce copyrighted materials must be obtained directly from the copyright holders. PMC currently includes a copyright notice alerting the public to the rights of copyright holders and will continue to post this notice as it has done in the past.

5. Bayh-Dole Act: NIH received a comment that the proposal undercuts the Bayh-Dole Act by interfering with technology transfer, because scientific publications are an important component of technology transfer, and the proposal weakens that component. This commenter also suggested the proposal undermines the Bayh-Dole principle that the private sector is the preferable vehicle to move research to the marketplace.

The NIH Public Access Policy serves to establish a permanent archive of NIH-funded research publications. It is not expected to supersede any private sector publication activity or create competition with publishers. Manuscripts that are submitted by authors will be available to the public through PMC after the time specified by the author post-publication. As such, we do not believe that the Policy will interfere with publications as a technology transfer vehicle, or that it will supersede the private sector as a vehicle to move research to the marketplace.

6. Patent application filing concerns: NIH received comments that because final manuscripts as submitted to NIH will be subject to Freedom of Information Act (FOIA) disclosure, they will likely be considered "printed publications" for purposes of the timing of filing patent applications. Commenters suggested this would be a change from current practice, which relies on the date of journal publication.

The NIH Policy requests authors to submit final manuscripts after the peer review process has been completed. Although each research institution must determine the timing of the filing of any patent applications arising from their NIH-funded work, NIH does not believe that submission to PMC under the Public Access Policy will constitute a printed publication, nor otherwise interfere with the timing of filing of patent applications. The manuscripts will not have the indicia of "public accessibility" that are generally relied upon as criteria by which prior art references have been judged. Until the interested public has access to the document, it would not be considered to be available as a printed publication within the meaning of 35 USC §§ 102(a) or (b). The primary journal publication constitutes the date of publication for patent filing purposes, as it has traditionally served.

Courts have found it helpful to rely on distribution and indexing as proxies for public accessibility, and one commenter argued that the final manuscripts will be indexed by PMC prior to journal publication. However, even if indexed in preparation for posting, the publication itself will not be available to the public. Once final manuscripts are posted in the archive, indexing and search capabilities will assist user access.

Other aspects of the process of scientific publication do not establish statutory bars to patentability. For example, processes such as oral presentations at scientific meetings and submission of manuscripts and information to peer reviewers or to a journal for review have not been considered to establish a publication date for patent purposes, because these activities have not been considered to result in public availability. Similarly, there is no reason to believe submission to NIH with the expectation of confidentiality until after publication will be treated differently by the U.S. Patent and Trademark Office.

7. Freedom of Information Act (FOIA): Some commenters expressed concern that the final manuscripts would be subject to disclosure to the public under FOIA prior to journal publication.

NIH believes the manuscript information is protected from release under FOIA by Exemption 4. In accordance with HHS FOIA regulations, if NIH receives a FOIA request for such a document, it will notify the submitter of the manuscript of the FOIA request in order to provide an opportunity for the manuscript submitter to object to any potential disclosure of the record. If the final manuscript is requested after the journal publication date but prior to the posting date on PMC, NIH believes that these publications are not “agency records” subject to FOIA. See 45 CFR 5.5, stating that definition of “record” for purposes of the HHS FOIA regulation does not include “books, magazines, pamphlets, or other reference material in formally organized and officially designated HHS libraries where such materials are available under the rules of the particular library.”

8. Administrative Procedures Act (APA) rule-making: Some have commented that the proposed policy constitutes a rule-making under the Administrative Procedures Act (APA) and that NIH lacks legislative authority to adopt this policy because it is without rule-making power. They also argue that the notice and comment opportunity for the proposal was insufficient to meet rule-making requirements.
NIH agrees that authority to adopt new regulations is retained by the Secretary, Health and Human Services, and has not been delegated to NIH. However, the proposed policy is not a rule-making for which APA notice and comment, and other procedural requirements for final agency actions, attach. The APA defines a “rule” as “the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy describing the organization, procedure, or practice requirements of an agency.” 5 USC § 551. Exempt from the formal “rule-making” requirements of the law are matters “relating to agency management...” and matters concerning “interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice” 5 USC § 553.

The Policy does not require investigators to do anything other than what the current rules require. While funding recipients may follow the Policy to fulfill some of their existing reporting requirements they need not do so and may continue to provide hard copies of publications. The Policy will allow the agency to manage better its research award process and will also enable it to advance further its public health mission to support high-quality biomedical, behavioral, and clinical research and improve public health. In order to help it develop the Policy, the agency provided public notice and sought public comment on a draft policy. This notice and comment procedure were not undertaken to comply with the APA rule-making requirements; the agency does not believe that they apply because the Policy is not a rule.

9. Regulatory Flexibility Act: Some commenters asserted that the NIH must comply with the Regulatory Flexibility Act before it implements the proposed policy. The Regulatory Flexibility Act (RFA), 5 U.S.C. § 601 et seq., was enacted to ensure that when adopting regulations, Federal agencies seek to achieve statutory goals as effectively and efficiently as possible without imposing unnecessary burdens on the public. In particular, in accordance with the RFA, Federal agency regulations should not disproportionately affect small entities. Under the RFA, Federal agencies must determine the impact of their regulations on small entities and consider alternatives to alleviate burdens while achieving the agency's policy goals. By definition, the RFA applies when a Federal agency publishes a general notice of proposed rule-making under 5 U.S.C. § 553(b); in other words, it is triggered when an agency engages in rule-making under the APA. As noted above, this Policy is not a rule-making. Accordingly, the RFA does not apply.

10. Paperwork Reduction Act: Some commenters suggested that NIH must comply with the Paperwork Reduction Act (PRA) and cannot penalize investigators until Office of Management and Budget (OMB) clearance under the law is completed.

The PRA requires OMB review before an agency undertakes a “collection of information,” regardless of whether the collection is mandatory or voluntary. Under the regulations implementing the law, a “collection of information” includes “obtaining...information by or for an agency by means of ... identical reporting ... or disclosure requirements imposed on” ten or more people or entities in any given year. 5 C.F.R. § 1320.3. While the request to provide copies of manuscripts or publications may not fall within this definition, even if the definition is met, we need not obtain any new OMB clearance because the Policy falls within the existing, approved information collection activities concerning applications, progress and final reporting, (OMB NO. 0925-0001, Expires 9/2007 and 0925-0002, Expires 6/2005). Furthermore, while some commenters focused their PRA criticism on the fact that the agency would be unable to penalize investigators if PRA review is not conducted, we note that the Policy serves as an alternative to compliance with existing reporting activities and, therefore, a discussion of any new “penalties” is misplaced.

The PRA also requires that agencies ensure the public has timely and equitable access to agency public information. The final manuscripts will be submitted under confidentiality agreements and will be posted on PMC only with the permission of submitting authors. Therefore, NIH does not believe that the final manuscripts submitted by authors constitute “agency public information” within the meaning of the PRA until the terms of the confidentiality agreement are met and an author permits posting on PMC. At that time, NIH expects to ensure timely and equitable access. As discussed above, submission is not expected to constitute a “publication” for purposes of filing patent applications, nor are the documents expected to be available to the public under FOIA. Thus, the absence of public availability prior to author permission does not constitute an improperly restrictive agency arrangement.

11. OMB Circular A-76: Some commenters argued that the agency must undertake a cost-comparison under OMB Circular A-76 to determine that the cost of the plan is less expensive than the cost of the present system of scientific publishing before implementing the Policy.

This criticism is based on the assumption, in the words of one commenter, that “NIH wants PMC to become an in-house electronic publisher of these final manuscripts.” This conclusion misstates the Policy and NIH’s goals. The NIH Policy is to maintain copies of final manuscripts in a permanent, public archive so that the published results of NIH-funded research are permanently and readily accessible to NIH and others. This archive will be contained in the NIH’s existing, electronic archive for scientific publications, PMC. The PMC archive has provided this service for the agency...
and others when articles are voluntarily provided to it. Electronic copies of publications are available through PMC in the same way that hard copies of publications are available from the NIH's National Library of Medicine.

The NIH Policy does not create any new obligations under OMB Circular A-76. Insofar as the activities of PMC are subject to the requirements of the Circular and related laws, those activities will continue to be reviewed and all applicable requirements will be met.

The NIH Public Access Policy is to establish a permanent archive of NIH-funded research publications. It is not expected to supersede any private sector publication activity or create competition with publishers.

12. Constitutional concerns/Executive Order (E.O.) 12630: One commenter suggested that the proposal implicates Executive Order 12630, which requires government officials to review actions that may have “takings” implications and to “be sensitive to, anticipate, and account for, the obligations imposed by the Just Compensation Clause of the Fifth Amendment in planning out and carrying out governmental actions ....”

The purpose of E.O. 12630 is to ensure that government officials do not unintentionally exercise the government's power of eminent domain, resulting in an unanticipated or undue drain on the government treasury. NIH believes that its Policy is consistent with E.O. 12630 and that no additional review is required. The private property at issue is the funding recipient's ability to assert copyright pursuant to 45 C.F.R. § 74.36. The NIH Policy does not interfere with that right, as authors and institutions will be voluntarily submitting copies of final manuscripts to NIH, and copyright may be asserted and enforced as it has been traditionally. Further, the same regulation that allows the funding recipient to assert copyright grants the government corresponding rights to reproduce, publish, or otherwise use the work for Federal purposes and to authorize others to do so. A voluntary request for the same use already allowed to the government by regulation is consistent with E.O. 12630 and does not trigger additional review.


The NIH Public Access Policy calls for the centralized storage of NIH-funded scientific publications in PMC, an electronic archive of scientific publications operated by the National Library of Medicine. The NIH will include in its electronic archive a statement explaining that the views contained in the archived publications and manuscripts are those of the authors, and do not necessarily reflect the views of the government. Thus, publication in PMC does not make an article/scientific manuscript subject to the NIH Information Quality Guidelines.

III. Text of Final Policy Statement

The NIH Public Access Policy (the “Policy”) on enhancing public access to archived publications resulting from NIH-funded research follows:

Beginning May 2, 2005, NIH-funded investigators are requested to submit an electronic version of the author's final manuscript upon acceptance for publication, resulting from research supported, in whole or in part, with direct costs1 from NIH. The author's final manuscript is defined as the final version accepted for journal publication, and includes all modifications from the publishing peer review process.

This Policy applies to all research grant and career development award mechanisms, cooperative agreements, contracts, Institutional and Individual Ruth L. Kirschstein National Research Service Awards, as well as NIH intramural research studies. The Policy applies to peer-reviewed research publications, resulting from research supported in whole or in part with direct costs from NIH, but it does not apply to book chapters, editorials, reviews, or conference proceedings.

Under this Policy, electronic submission will be made directly to the NIH National Library of Medicine's (NLM) PubMed Central (PMC): http://www.pubmedcentral.nih.gov. PMC is the NIH digital repository of full-text, peer-reviewed biomedical, behavioral, and clinical research journals. It is a publicly-accessible, stable, permanent, and searchable electronic archive.

At the time of submission, the author will specify the timing of the posting of his or her final manuscript for public accessibility through PMC. Posting for public accessibility through PMC is requested and strongly encouraged as soon as possible (and within twelve months of the publisher's official date of final publication).
The publisher may choose to furnish PMC with the publisher's final version, which will supersede the author's final version. Also, if the publisher agrees, public access to the publisher's final version in PMC can occur sooner than the timing originally specified by the author for the author's final version.

Effective with progress reports submitted for Fiscal Year 2006 funding, this Policy provides an alternative means, via PMC, for NIH-supported investigators to fulfill the existing requirement to provide publications as part of progress reports. Though the NIH anticipates that investigators will use this opportunity to submit their manuscripts, sending electronic copies is voluntary and will not be a factor in the review of scientific progress.

By creating an archive of peer-reviewed, NIH-funded research publications, NIH is helping health care providers, educators, and scientists to more readily exchange research results and the public to have greater access to health-related research publications. As the archive grows, the public will be more readily able to access an increasing number of these publications.

Once the system is operational, modifications and enhancements will be made as needed. An NIH Public Access Advisory Working Group will be established to advise NIH/NLM on implementation and assess progress in meeting the goals of the NIH Public Access Policy.

This Policy is intended to improve the internal management of the Federal government, and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

Additional details for the public and for submitting authors pertaining to the implementation of this Policy are available at: http://www.nih.gov/about/publicaccess/index.htm.

**Footnotes**


3These figures are derived from searching the PubMed database for citations with 2003 publication dates that include a reference to a specific NIH grant number. The data provide useful estimates of articles funded by NIH, although individual journal counts may vary slightly if calculations are performed using other sources or search strategies.

4PubMed includes links to full-text articles in PMC and to several thousand journal websites. PMC is an electronic archive for full-text journal articles, offering unrestricted access to its contents. Every full-text article in PMC has a corresponding entry in PubMed.


6Cybercitizen Health 3.0 Survey, Table 10 (Manhattan Research, New York, 2003).

7These data are derived from searching the PubMed database for citations with 2003 publication dates that acknowledge funding from either NIH specifically or from an agency of the Public Health Service (PHS). Because some journal citations do not include a reference to the specific NIH grant number, a broader search was done for citations where the Public Health Service (PHS) is identified as the sponsor of the research. These data provide useful estimates of articles funded by NIH/PHS, although individual journal counts may vary slightly if calculations are based on other sources.

8The estimated $30 million is a conservative figure based on amounts spent on page charges and other publication costs on a sample of R01 grant application budgets, scaled up to provide an estimate of direct costs paid on all research grants.
Established pursuant to 42 U.S.C. 286a, section 466 of the Public Health Service Act, as amended. The Board is governed by the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2).

http://opcit.eprints.org/oacitation-biblio.html

http://romeo.eprints.org/stats.php

Established pursuant to 42 U.S.C. 286a, section 466 of the Public Health Service Act, as amended. The Board is governed by the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2).

http://thomas.loc.gov/home/omni2005/index.htm


HHS FOIA Regulations, 45 C.F.R. § 5.65(b); available at: http://www.hhs.gov/foia/45cfr5.html#Subf.

Weekly TOC for this Announcement
NIH Funding Opportunities and Notices

Department of Health and Human Services

National Institutes of Health (NIH)
9000 Rockville Pike
Bethesda, Maryland 20892
University Resolutions on Scholarly Communication

UC-based

**SLASIAC.** UC systemwide administrative resolution, endorsed March ‘05. Calls upon the university and its faculty to foster positive change in scholarly communication through a set of specific actions. ([http://www.slp.ucop.edu/consultation/slasiac/SLASIAC_Resolution_I.html](http://www.slp.ucop.edu/consultation/slasiac/SLASIAC_Resolution_I.html))


**UC Davis.** Senate Committee on Library draft resolution, under discussion by UCD assembly Spring ‘05. Preamble and five item resolution covering need for raised awareness, retention of copyrights, supporting journals/publishers who display “reasonable” pricing, flexibility in promotion and tenure, and supporting library actions in the marketplace.

**UC Irvine.** Senate resolution, endorsed Summer '04: 3 pages; focus on copyright; offers "guidelines" for action. ([http://www.lib.uci.edu/scamp/joint_resolution.html](http://www.lib.uci.edu/scamp/joint_resolution.html))

Other universities

**Columbia.** University Senate, adopted unanimously on April 1, ‘05. Focus on support for the “principle of open access,” retention of copyrights, advancement of new models, resisting digital rights management regimes that limit open access, and remaining alert to efforts by publishers to impose barriers on access. ([https://mx2.arl.org/Lists/SPARC-OAForum/Message/1812.html](https://mx2.arl.org/Lists/SPARC-OAForum/Message/1812.html))

**Kansas.** Faculty Senate, endorsed unanimously March 10, ‘05. Notable for its call to all faculty to seek amendments to publisher's copyright transfer forms to permit the deposition of a digital copy of every article accepted by a peer-reviewed journal into the KU ScholarWorks repository, or a similar open access venue. ([http://www.provost.ku.edu/policy/scholarly_information/scholarly_resolution.htm](http://www.provost.ku.edu/policy/scholarly_information/scholarly_resolution.htm))


**Connecticut.** "Faculty Resolution on The Crisis in Scholarly Communication" February '04. ([http://www.arl.org/scomm/resolutions/conn.html](http://www.arl.org/scomm/resolutions/conn.html))


**Other.** A number of resolutions around the country focus on support of their libraries resistance to escalating journal prices. Several focus on Elsevier. See [http://www.earlham.edu/~peters/fos/lists.htm#actions](http://www.earlham.edu/~peters/fos/lists.htm#actions). Queensland Univ. in Australia and Southampton University in the UK are mandating deposit of research into their institutional repositories.

Common Elements

- Action is mission critical
- Provide leadership to academy
- Inform/educate ourselves
- Manage copyrights
- Evolve tenure & reward system
- Encourage/Support library efforts to change marketplace
- Support affordable journals (or Resist involvement with high-priced journals)
- Use alternative forms of publication
Use/support “open access” venues/models
Provide incentives/subventions for change
Use influence as authors
Use influence as editors
Use influence as society members
Educate students & new scholars on the issues
Partner across the university for change
Resolution I: The University’s Role in Fostering Positive Change in Scholarly Communication

Scholarly communication is in a state of crisis that threatens to compromise the University of California’s core mission. The crisis reduces the UC community’s access to scholarly materials and limits the dissemination of UC’s scholarship. A failure to respond will jeopardize UC’s pre-eminence, its contributions to scholarly inquiry and the progress of knowledge, its effectiveness in teaching and learning, and its service to the citizens of California.

It is critical that the University, and the worldwide academic community of which it is a part, regain control of and strengthen scholarly communication processes. In these pursuits the committee:

- Calls upon the University to continue and extend its efforts to:
  - lead the academic community in its work toward effective and sustainable scholarly communication systems;
  - support publications and publishing innovations that disseminate scholarship to the broadest set of readers at the most affordable cost;
  - establish and sustain repositories and alternative publishing mechanisms that enable the broadest dissemination of UC’s scholarship;
  - develop incentives and support for faculty use of effective, sustainable scholarly publishing mechanisms;
  - leverage its libraries’ buying power to break the cycle of hyper-inflation in the cost of scholarly material by refusing to pay unsustainable prices.

- Calls upon the University’s faculty to continue and extend their efforts to:
  - seize every opportunity to regain control of and maximize the impact of their scholarly communication;
  - manage their intellectual property in ways that allow retention of critical rights, in order to ensure the widest dissemination of UC’s scholarship and its unfettered use within the University to support teaching and research;
  - recognize and value their colleagues’ use of any venue for scholarly communication that meets standards of excellence in selection and peer-review;
  - eliminate affiliations with publishers whose publishing and pricing practices reveal a focus on profits at the expense of open scholarly publication.

http://www.slp.ucop.edu/consultation/slasiac/SLASIAC_Resolution_I.html
support library actions that attempt to break the cycle of hyper-inflation in the cost of scholarly material even when such action reduces access to material.

Approved by the Committee March 10, 2005
Scholarly Publishing
Statement of Principles
University of California, Berkeley

We resolve that the Berkeley campus will take the following steps immediately:

**Retain Faculty Control:** The faculty of the University of California, Berkeley will seek to maintain control of their work by retaining intellectual property rights and/or by submitting their work to alternative venues or to publishers who maintain reasonable business practices. Retaining control of one’s scholarly output will allow Berkeley faculty greater freedom to disseminate their work, therefore increasing others’ use of it and maximizing the impact of their scholarship.

**Advancement and Promotion:** All those involved in the process of academic review will not discriminate against alternative venues for scholarly communication. As always, work will be judged based on its individual quality and scholarly content. The role of a publication venue in this process will be assessed according to such criteria as its demonstrated standards, degree of selectivity, and the quality of its peer-review.

**Incentives:** The Academic Senate and the campus administration will provide appropriate incentives and tools for faculty to establish alternative scholarly outlets, serve on and lead relevant editorial boards, and submit their scholarly work to such ventures.

**Support the Library:** Libraries around the world are beginning to take a hard line when negotiating contracts with publishers and societies that put profits above scholarly communication. The faculty and administration of the University of California, Berkeley will support the Library’s efforts to curtail unsustainable pricing structures even if this sometimes means losing access to titles.

*endorsed March 2005 by the Academic Senate, Berkeley Division*
Joint Resolution on Scholarly Communication and Faculty Copyrights

UCI Academic Senate Assembly Council on Computing, Research, and Library Resources UCI Libraries

- Background
- Copyrights
- Resolution

Background

Society and civilization are enhanced and enriched through the discovery, sharing, and use of new knowledge. The highest goals and aspirations of the academy and scholars are to create and widely share new knowledge for the benefit of society.

The current structures of the scholarly communication process often impede, rather than enhance, the exchange of new knowledge through approaches that impose access restrictions for private economic gain rather than provide broad access for the common good.

The current process must change if academic libraries and universities are to continue providing faculty, students, and staff with the access they require to the world’s scholarship and knowledge. Otherwise, scholars will be hindered in creating new knowledge and unable to make the results of their research widely available. The vitality and progress of society will suffer.

Actions may be taken on a variety of fronts. The UC libraries are collaborating on a number of issues and report progress at http://libraries.universityofcalifornia.edu. The University of California Academic Council has established a Special Committee on Scholarly Communication (SCSC), which will analyze alternative methods of scholarly publications, methods of evaluating and ensuring high-quality publications for consideration in academic promotion and tenure; business model(s) for publications; and the role of scholarly societies in scholarly communications. (http://www.universityofcalifornia.edu/senate/news/source/source2_2.pdf).

The granting of authors’ copyrights, however, is a key issue, which is directly affected by individual faculty decisions, and can be considered for influential action.

Copyrights

Much of the content of scholarly publications is contributed by scholars who also provide essential peer review and editorial work for very little or no compensation.

In addition, creators are often asked or required to transfer their copyrights to publishers who then control the use of the scholar’s work in ways that may be contrary to the objectives of wide dissemination and use. When the creator gives away copyright he or she no longer necessarily has the right to permit wide use of that work in a variety of ways that advance the goals of scholars and the academy for education and research. Traditional and emerging uses include classroom use, posting on class websites, distance education, electronic reserve, deposit in an open archive, eScholarship, long term electronic preservation archives, as examples.

The power to change the structure of scholarly publishing lies with those who create the content. UCI faculty own the copyright to their creations and can exercise those rights in a variety of ways that are appropriate for the situation, the publisher, and the faculty member's interests.

The UCI Libraries, through their Scholarly Communication and Management Program (SCAMP),
will work with faculty to develop copyright workshops and consultations, educational materials on copyright, standard language for use in publisher’s contracts, copyright management programs, and other support services to facilitate the widest dissemination and use of scholarly materials.

Resolution

The Senate endorses the following guidelines developed by the UCI Libraries and the Senate Council on Research, Computing, and Library Resources (CORCLR), as advisory to UCI faculty. Opportunities for faculty to retain or exercise copyrights vary by discipline, publisher, and stages of career. Consequently, it is recognized that each faculty member must make decisions based on a variety of factors. UCI faculty who are authors, editors, and/or members of editorial boards, are encouraged to observe the following guidelines when circumstances allow.

- Advocate changes that strengthen scholarly communication and enhance the dissemination of knowledge to society.
- Support broad access and availability of scholarly information and research to the academy and society by considering publication in high-quality journals that also have affordable pricing models that sustain wide dissemination.
- Manage author’s rights in ways that allow author retention of critical aspects of copyright, in order to insure the widest dissemination of works in service to education and research (e.g. web pages, e-reserves, classroom use, discipline based depositories).
- In conjunction with the UCI Libraries, utilize and explore alternative modes of managing copyrights and publishing, preserving, and disseminating information that allow broad access (e.g. eScholarship, self-archiving, open access journals).
For Senate 4/1/05

Resolution Concerning “Open Access”
From the Committee on Libraries and Academic Computing

WHEREAS the Senate is empowered by University statutes §23 (c) and (e) to "work for the advancement of academic freedom... [and] initiate and review policies to govern the University's relations with outside agencies for research, instruction, and related purposes," and

WHEREAS the principle of open access to the fruits of scholarly research is increasingly being adopted and pursued by universities and in the scholarly community at large, and

WHEREAS Columbia University continues to be in the forefront of open-access endeavors, through its advocacy activities and its digital library programs, and

WHEREAS technological, legal and economic barriers continue to be erected to obstruct or limit open access, and

WHEREAS the availability of the fruits of scholarly endeavor ought to reflect the conditions of cooperative endeavor and common resources under which scholarly work is produced,

Therefore BE IT RESOLVED

1. That the Senate put on record its support for the principle of open access to the fruits of scholarly research;

2. That the Senate urge the University to advance new models for scholarly publishing that will promote open access, helping to reshape the marketplace in which scholarly ideas circulate, in a way that is consistent with standards of peer review and scholarly excellence;

3. That the Senate urge the University to monitor and resist efforts to impose digital rights management regimes and technologies that obstruct or limit open access, except as necessary to secure rights of privacy;

4. That the Senate urge the scholars of Columbia University to play a part in these open-access endeavors in their various capacities as authors, readers, editors, referees, and members of scientific boards and learned associations etc., (a) by encouraging and collaborating with publishers’ efforts to advance open access, (b) by retaining intellectual property rights in their own work where this will help it become more widely available, and (c) by remaining alert to efforts by publishers to impose barriers on access to the fruits of scholarly research.
The availability of research findings and databases is critical to our ability as scholars to contribute to the advancement of knowledge and to educate students. Because the price and volume of scholarly literature far outstrip the capacity of the KU library (or any University library) to acquire all important material, we cannot take for granted the accessibility of scholarly literature. On March 10, University Council unanimously supported the resolution reproduced below that can go a long way toward solving the problem of accessibility of research findings. I call your attention to two items in the resolution that are of particular importance:

First, KU ScholarWorks (http://kuscholarworks.ku.edu), a digital repository, is now available as a convenient site in which to place your published work, working papers, datasets, and other original material. Items placed in KU ScholarWorks will be archived permanently and will be available to search engines like Google and Google Scholar. Many studies demonstrate that articles that are available electronically are cited in other publications at four or more times the frequency of works that are not available electronically. It is in your interest and the University’s to populate KU ScholarWorks with a complete set of KU faculty’s scholarly output. Criteria for including a work in KU ScholarWorks are established by academic communities, normally departments or schools. If such a community has not been formed by your department/school, please work with your chair or dean and colleagues and contact kuscholarworks@ku.edu to create such a group or get more information.

Second, please make sure your published, refereed journal articles are placed in KU ScholarWorks so that the archive of this work will be complete. Most refereed journals now permit contributors to place an electronic version of their published work in a publicly accessible electronic archive although some refereed journals have copyright policies that will not permit such postings. If you return the copyright form with a notation such as, “notwithstanding other language in this agreement, I reserve the right to place this manuscript in a publicly accessible electronic archive,” sign and return it to the journal, upon publication of the article, you will have the right to place the article in KU ScholarWorks (or for those of you whose work flows from NIH grants, in PubMed Central or ScholarWorks). Should the journal refuse to publish your work with the modified copyright statement, you, of course, may then tell them you are willing to permit publication with their original copyright restriction. I have on multiple occasions amended copyright forms as I describe above and had no trouble getting material published. Further information about publisher policies is on the KU ScholarWorks site.

I hope that KU ScholarWorks will become the site in which you place all of your published work and the non-published work that meets the standards of your ScholarWorks community. I ask departments and schools to consider whether they wish to have all departmental/school colleagues deposit their research in ScholarWorks so that it can be easily accessed for annual merit salary and promotion and tenure reviews.

Thanks for your consideration. I think the KU ScholarWorks archive will place KU at the forefront of institutions that have taken positive steps to solve the scholarly communication dilemma.

**RESOLUTION on Access to Scholarly Information**
Passed by the KU University Council
3/10/05

Access to scholarly information is vital to all members of the academic and research communities. Scholars and their professional associations share a common interest in the broadest possible
dissemination of peer-reviewed literature and many other products of the scholarly process. Moreover, as the University of Kansas increases the size of its faculty and intensifies its research program, it is especially important that access to the work we create and to the work of our colleagues at other universities and colleges be as broad and affordable as possible.

The quantity and diversity of scholarly information worldwide, however, challenges the ability of the current system of scholarly publishing to provide adequate and equitable access. The business practices of some journals and journal publishers, moreover, are inimical to scholars’ interests and threaten to limit the promise of increased access inherent in digital technologies. Development of university collections of scholarly material is more and more constrained by the rising costs of journals and the databases that index and aggregate those journals. Faculty, staff, students, and university administrators must all take greater responsibility for expanding access to scholarly information and ensuring its long-term accessibility while maintaining scholarly standards of quality.

Therefore, the University of Kansas Faculty Senate:

* Notes with approval national and international efforts to shape a more diverse and sustainable system of scholarly communication;

* Endorses the contributions of the University of Kansas and its faculty to these efforts, including the KU ScholarWorks repository, a digital archive that can provide access and long-term preservation for the scholarly works of KU faculty and staff;

* Calls on all faculty of the University of Kansas to seek amendments to publisher’s copyright transfer forms to permit the deposition of a digital copy of every article accepted by a peer-reviewed journal into the ScholarWorks repository, or a similar open access venue;

* Calls on all faculty, staff, and students of the University of Kansas to become familiar with the business practices of journals and journal publishers in their specialty;

* Encourages tenured faculty in particular to support journals (and their publishers) whose pricing and accessibility policies are consistent with continuing access to this literature through the choices faculty make in the submission of papers, the allotment of time to refereeing activities, and participation in editorial posts;

* Calls on University administrators and departmental, school, college and University committees to reward efforts by faculty, staff, and students to start or support more sustainable models for scholarly communication, and to provide financial and material support for organized activities initiated by faculty, staff, and students that will ensure broad access to the scholarly literature;

* Calls on the University, professional scholarly associations, and professional organizations of university administrators to invest in the infrastructure necessary to support new venues for peer-reviewed publication, and in concert with this effort;

* Also calls on the University, professional scholarly associations, and professional organizations of university administrators to establish clear guidelines for merit salary review, peer evaluation on federal grants, and promotion and tenure evaluation of faculty and staff that will allow the assessment of and the attribution of appropriate credit for works published in such venues; and

* Calls on the University Libraries to provide resources that help faculty, staff, and students understand the options available for dissemination of scholarly research, the business practices of different journals
and journal publishers, and their impact on the system of scholarly communication.
SUMMARY OF ACTIONS, FEB. 19

At its meeting on Thursday, February 19, 2004, the Thirty-sixth Senate of the Academic Council heard reports and took the following actions:

By voice vote, with one (1) nay, the Senate endorsed the following guidelines as recommended by C-Lib to all Stanford libraries, faculty and departments:

1. Faculty and libraries are encouraged to support affordable scholarly journals, such as by volunteering articles and labor in the production, review and editing of journal content.

2. Libraries are encouraged to refuse "big deal" or bundled subscription plans that limit the librarian's traditional responsibility to make collection development decisions on a title-by-title basis in the best interest of the academic community.

3. Libraries are encouraged to scrutinize the pricing of journals and to drop those where pricing decisions have made them disproportionately expensive compared to their educational and research value. Special attention should be paid to for-profit journals in general and to those published by Elsevier in particular.

4. Faculty, especially senior faculty, are strongly encouraged in the future not to contribute articles or editorial or review efforts to publishers and journals that engage in exploitive or exorbitant pricing, and instead look to other and more reasonably-priced vehicles for disseminating their research results.

EDWARD D. HARRIS, JR., M.D.
Academic Secretary to the University

MINUTES, FEB. 19
I. Call to Order

Chairman Wasow, although he was enjoying watching the senators interacting ebulliently with each other, quieted the crowd and called the meeting to order at 3:18 pm, just as the Provost and the President arrived. He made note of the "rich" agenda planned, and then moved right along.

II. Approval of Minutes

These (SenD#5549), from February 5, 2004, were approved as submitted. They can be accessed at http://facultysenate.stanford.edu.

III. Action Calendar

Wasow pointed out that "At our previous meeting on February 5th, the Senate received a recommendation from the Committee on Libraries for Senate endorsement on a set of guidelines addressing Stanford's reactions to the serials crisis. Senators engaged in a lengthy discussion on the guidelines, during which two amendments were voted on and passed. At that point, with the main motion still on the floor, the Senate voted to table the resolution." After conferencing, a substitute motion was approved, he said, by C-Lib and the Steering Committee. It had been placed at the senators' desks as SenD#5540B. Professor Ilya Segal, speaking for C-Lib in place of the absent chair, Doug Brutlag, invited comments and questions.

Professor Gordon Chang was "...unfamiliar with the names of these journals that engage in exploitative or exorbitant pricing since I'm not involved in subscribing to these journals. Is it possible to circulate or identify these journals?" Michael Keller answered that, "We will be putting empirical data, not interpretations, on a Web site for consultation. It will be a growing and changing list, of course, but available to all."

Professor Joanne Martin said, "I apologize because I couldn't be here last time. But this has generated a whole lot of discussion where I work. I wonder if this question's already been asked before. We absolutely need the top-tier journals, which are very expensive, in order to keep up with our field. And if the library doesn't have them, the junior faculty and doctoral students in particular are very concerned that they will have no other alternative than to pay for an individual subscription, which they just can't afford to do."

Keller and Professor Segal tried to reassure her. Keller answered, "We offer a document delivery service that will provide articles from journals to which we do not subscribe. And also, when we cancel journal titles, we routinely go around to the faculty to get their opinions about what titles should be canceled and what not. It is absolutely true that there is a tactical challenge here. But at the same time, the strategic engagement of some of these publishers is automatically reducing the list of titles available by making them

so expensive that there is no possibility that increases in the library materials budgets will be able to meet those costs. So we are forced into a cycle of cancellation. This motion and others like it around the country are meant to address the strategic challenge."

A number of nouns were suggested by both senators and ex officio members to better define certain journal publishers, and after the laughter had settled, Wasow called for the vote after reading the revised guidelines that came from the Committee on Libraries:

The Senate endorses the following guidelines as recommended by C-Lib to all Stanford libraries faculty and departments.

1. Faculty and libraries are encouraged to support affordable scholarly journals, such as by volunteering articles and labor in the production, review and editing of journal content.

2. Libraries are encouraged to refuse "big deal" or bundled subscription plans that limit the librarians' traditional responsibility to make collection development decisions on a title-by-title basis in the best interest of the academic community.

3. Libraries are encouraged to scrutinize the pricing of journals and to drop those where pricing decisions have made them disproportionately expensive compared to their educational and research value. Special attention should be paid to for-profit journals in general and to those published by Elsevier in particular.

4. Faculty, especially senior faculty, are strongly encouraged in the future not to contribute articles or editorial or review efforts to publishers and journals that engage in exploitive or exorbitant pricing, and instead to look to other and more reasonably-priced vehicles for disseminating their research results.

The voice votes were all "ayes", save one "nay." There were no abstentions.

IV. Standing Reports

Memorial Resolution

Rose O. Payne (1909-1999) (SenD#5522). The Chair introduced Professor Carl Grumet, Professor of Pathology. Grumet said, "Mr. Chairman, members of the Academic Council. Dr. Rose O. Payne, former professor of medicine in the division of hematology in the Department of Medicine and Professor Emerita after her retirement in 1975, died on April 19th, 1999 in Cupertino, at the age of 89. At her passing, the international transplantation community and Stanford lost one of our most colorful colleagues. Armed initially with only glass slides, eyedroppers, and a keen intellect, Rose was one of a handful of pioneers in the discovery and development of the human major histocompatibility complex or HLA system. Enjoying a well-deserved reputation for demanding from even the most senior of her colleagues a clear and concise examination of all data, Rose was equally appreciated for nurturing the HLA field through generous sharing, with junior
and senior investigators alike, of her broad knowledge and her rare, precious HLA typing sera. These qualities, along with the fact that she was the only woman among that small group of HLA pioneers, led her many colleagues and friends to commonly refer to her as 'The Mother of HLA.'

To help put the importance of her discoveries in proper perspective for the general University community, it needs to be emphasized that the HLA system plays an overwhelmingly dominant role in determining human transplantation compatibility, genetic control of immune responses, and susceptibility to disease.

Thanks to Rose’s ground-breaking work and her leadership role in international histocompatability workshops, we now understand the HLA system at the level of molecular biology and gene function.

The high esteem in which Rose was held by scientific and clinical colleagues alike was indicated by the many awards bestowed upon her. These included both the John Elliott Memorial Award and the Karl Landsteiner Memorial Award from the Association of Blood Banks, presentation of the Katherine D. McCormick Distinguished Lecture at Stanford, and the 1984 Woman of Achievement Award.

In 1985, the American Society for Histocompatibility and Immunogenetics established the Rose Payne Distinguished Scientist Award in her honor. For many years, she was a member of the World Health Organization Committee on HLA nomenclature, served on the editorial boards of several scientific journals, was a Councilor of the International Histocompatibility Workshops, and held membership in numerous professional societies.

Although she is no longer with us, the rich inventory of antibodies she left will continue to serve as the HLA typer's gold standards, while many fond memories of her keen and incisive mind will continue to serve as the critical thinker's 'Rose standard.'

Mr. Chairman, members of the Academic Council, on behalf of a committee consisting of myself, Professors Hugh McDevitt and Stanley Schrier, it is an honor to lay before the Senate of the Academic Council a resolution in memory of the late Rose O. Payne, Ph.D., Professor of Medicine in the Stanford University School of Medicine.

The senators stood for a moment of silence.

Next, Chairman Wasow was ”...pleased to welcome Anne Kiremidjian, Professor of Civil and Environmental Engineering, to present a memorial resolution in honor of John A. Blume. Again, the full memorial resolution is included in Senate packets and will be published in the Stanford Report."

**John A. Blume (1909 -- 2002) (SenD#5548)**

Professor Kiremidjian began, "Mr. Chairman, members of the Senate of the Academic Council... Dr. John A. Blume, consulting
Professor of Civil and Environmental Engineering, died on March 1st, 2002, at his Hillsborough home at the age of 92. A three-time graduate of Stanford University, his affiliation and contributions to the University spanned over 73 years, as a student, researcher, teacher, and benefactor.

John Blume received his Ph.D. degree in civil engineering in 1967 from Stanford after receiving his bachelor's in engineering degree 30 years prior to that time.

He was a pioneering researcher and practitioner who, through his research and leadership, exerted tremendous influence on the development of modern earthquake design and practice. He offered several seminal books in earthquake-resistant design and published numerous journal articles that earned him the highest awards in civil engineering. He served as president and officer of leading professional organizations and was elected as honorary member of the Earthquake Engineering Research Institute, the American Society of Civil Engineers, the New York Academy of Engineering, and the Structural Engineers' Association of Northern California. He was a fellow of the Concrete Institute of America, the International Association of Earthquake Engineering, and many more. In 1969, he was also elected to the International Academy of Engineering.

Often called the "Father of Earthquake Engineering," John Blume was instrumental in founding of the Earthquake Engineering Research Center at Stanford that bears his name.

A longtime supporter of the University, he endowed a professorship and a graduate fellowship for research in earthquake engineering. His life and spirit belong to his profession and to his beloved university.

Dr. Blume will be remembered for his pioneering research, his remarkable books and lectures, for establishing a leading structural engineering design firm, for his generosity to Stanford, and, to those who were privileged to know him, for his warm and charming personality.

Mr. Chairman, members of the Academic Council, I lay before you a memorial resolution in the memory of the late John A. Blume, consulting professor of Civil and Environmental Engineering.

The Senate stood for a moment of silence.

Richard Scowcroft (1916-2001) (SenD#5546)

Chairman Wasow next introduced Lawrence V. Ryan, Professor emeritus of English, to present the memorial statement in honor of Richard Scowcroft. Professor Ryan, pleased to still be typing his notes not on a computer but on his 50 year-old manual typewriter, began. "Mr. Chairman and members of the Senate of the Academic Council, Richard Scowcroft died in his home on the campus on 8 October, 2001, at the age of 85. He came from Harvard University to Stanford in 1947 to join Professors Wallace Stegner and Yvor Winters in the recently founded Program in
Creative Writing within the Department of English.

For many years, he taught in that program, as well as the literature section, and he alternated in administering the program in creative writing with Wallace Stegner, because both of them being creative writers, they felt they needed time off to do their own writing. And so Stegner, for example, often taught only half the year, and Scowcroft filled in when Stegner wasn't there. In addition to guiding the creative efforts of many aspiring fiction writers, Dick Scowcroft was a yeoman teacher of literature in the department, teaching many courses in the field of the novel, even in American literature, when the need arose. He directed numerous dissertations in the field of English literature.

Many of his students became very famous writers, Pulitzer prize writers. One of them, Tobias Wolf, is presently a member of the Stanford faculty. And not only did he create a wonderful learning environment for creative writers and for students of literature, but often he was called upon to direct dissertations beyond perhaps the level of his real commitment to the department. For example, he said because Professor Winters wouldn't take certain dissertations in his field of American literature, Dick Scowcroft very kindly took them over. He said, 'I learned more about Emerson and Thoreau from doing that than I ever had in my life.'

As a creative writer himself, Dick Scowcroft was a very successful writer of comic fiction, writing six novels during the course of his career at Stanford, some of the based on his Mormon background from his having grown up in Utah.

He really will be missed as one of the most congenial, most convivial members of the English department. Even though he was very ill in the last years of his life, he would constantly invite members of the department over to share the cocktail hour with him.

Mr. Chairman, it is an honor on behalf of a committee consisting of Professors Willard Stone as chairman, Charles Fifer, and myself, to lay before the Senate a resolution in memory of Richard P. Scowcroft.

Chairman Wasow asked the Senate, "Please stand for the traditional moment of silence."

After thanking Professors Grumet, Kiremidjian, and Ryan, Wasow forged ahead with the day's agenda.

Steering Committee.

He first reminded the Senate that, "...following the report and Senate discussion on the Oracle financial system, we will adjourn early to reconvene in informal executive session upstairs in the faculty lounge. At the March 4th meeting, we will hear a report from Vice Provost for Student Affairs Gene Awakuni, and, as well, three reports from Vice Provost for Faculty Development Pat Jones: (1) The report on faculty gains and losses, (2) Recruitment and Retention, and (3) The Status of Women Faculty. Please note on
your calendars that the first meeting of spring quarter, scheduled for April 1st, which is the hundredth anniversary of the founding of Stanford's Academic Council, is canceled.

No one was sure whether this cancellation was a snub of the anniversary, or a cancellation in honor of it, or neither of the above, and Wasow moved on. "If we need an additional meeting later in the spring, it will be scheduled on an intervening Thursday afternoon."

Committee on Committees.

Although the CoC has been working hard to provide a prioritized list of faculty appropriate for committee service, no report, said Chair Arnetha Ball, was ready today.

Reports from the President and the Provost.

President Hennessy was sad to recognize the "...sudden death of our dear colleague, Jim Rosse, long-time member of the faculty and former Provost. We are currently in discussions about memorial arrangements. And we hope to have a service on campus at some point in the future."

On a lighter note he sprightly reminded the Senate (all of whom knew this, of course) that "...our basketball team is now ranked first in the country! And I hope none of you will do anything to jinx it." Professor Holloway quickly said, "I'm sorry I didn't get a chance to bring this question to your attention earlier. I've been around here long enough to know that some things are unexplainable. How did it come to be that the number-one team tonight is playing at USC and it's not on television?" The President bobbed and weaved on this one, before answering, "We're scalping the tickets! [Later, he conjectured that the "L.A. market" wanted U.C.L.A. and Cal to be shown on TV...probably accurate.] Vice Provost Bravman blurted out, "It's on Direct TV," and at that point, Professor Simoni invited everyone over to Bravman's place to watch the game.

Provost Etchemendy had "...two somewhat longer announcements. The first is a report.

Five years ago, a task force chaired by Jim Sheehan assessed the 'Faculty Appeals Procedure.' The existing procedure at the time, which was called a 'grievance procedure' had become very cumbersome and complex. The task force was formed to draft new appeal procedures. The Senate, in April of 1999, approved the new procedures, and at the same time, insisted that the Provost report by autumn of 2002 to the Senate how well the new appeal procedures were working."

Taking no blame for the tardy report, Etchemendy, said (guilelessly), "Well, I didn't know that!" Condoleezza Rice hadn't told him before she left for public service. Indeed, no one did. Now is the time for the report.

"Let me describe what the new procedures are. The old
procedures provided for a grievance first being filed at the level that the decision was made. So, for example, if your department had turned you down for tenure, you could grieve and file with the department chair. And if that was turned down, then you could file another grievance with the dean's office. If it was turned down, you could file another grievance at the Provost's office. And, finally, it would eventually get to the President's office.

"The main change was that the new appeal procedures are all initially filed with the Provost, and then they go off to the Advisory Board and, if needs be, then to the President. Another change is that the grievance procedures previously had a grievance officer, who was, in effect, a judge. That 'judge' has been replaced with 'fact finders', who answer questions that I request which are relevant to the particular grievance. This results in the Advisory Board now acting as the judge.

"Since the new procedures have been in place, 13 grievances have been filed. Ten of them were grievances over reappointments and/or promotions. Three were on other matters, such as salary. Six of the 13 were denied, one was granted, one was remanded to the cognizant dean's office, three were withdrawn, and two are still open.

"The new procedure is, I think, working well in the sense that it has short circuited a great deal of extra work at various different levels at the University and a great deal of waiting on the part of those filing the appeals."

His second announcement was about the TGR tuition rate. "TGR, for those of you who don't know, TGR is 'terminal graduate registration.' It happens, generally, at the end of the third year. A Ph.D. student has finished coursework, has completed a certain number of units, and becomes eligible for TGR-reduced tuition. At that time the tuition is lowered for the fourth and subsequent years. Last year in the Senate I gave a couple of reports on the budget. And at both of those, I reported first that we were considering and, subsequently, adopting a move to double the TGR tuition rate in two steps, first, a 50 percent increase this year, and then another 50 percent next year. The TGR rate has gone from about $1100 per quarter to $1650 per quarter this year, and $2500 per quarter next year."

The Provost then explained the reasons for these actions. "First of all, the main reason is to provide an incentive to decrease the time to degree, to get people through in a fairly quick fashion. It is in no one's interest for Ph.D. students to remain in the Ph.D. program for six to eight years. It makes them less attractive job candidates, it decreases their productivity, career opportunity, and decreases their career earning potential. In addition, it balloons our graduate population, and I need not remind you that our graduate student population is very expensive to the University. For example, we currently house over 70 percent of our graduate students, either on-campus or in subsidized off-campus housing. It's very expensive for the university as the graduate population grows.

"Increasing TGR will provide additional revenue to offset the cost of those students as they stay around and have to be housed, or
decrease the number of those students because they'll finish their dissertations earlier. Either one is actually a very good result."

The Provost then recounted a list of numbers of equivalent costs at our peer institutions, convincing even doubters that "...we're still lower than almost every other place and at parity with a few places [Harvard and Berkeley]."

In a question about this, Professor Granovetter said, "This is an observation more than a question. That six or seven years is too long for someone to be here as a graduate student working on a dissertation is a statement that doesn't apply to all fields. Our median time to Ph.D. is about six years [Sociology]. Our observation over the years is that students who finish in three, four, or five years do not do as well on the labor market, don't get as good jobs, and the dissertations aren't as polished or complete as the ones who take six or seven. So we don't see that it makes sense for us to push people to finish in a period of time that will disadvantage them when they go out looking for an academic job. What this means is that the burden of this additional tuition will fall differentially among departments. And I'm not sure what to do about that. The school of Humanities & Sciences supports students now for five years, which is a great improvement on the previous policy. But we do have a continuing issue on what to do about the sixth and seventh-year students."

Perhaps thinking to himself that even cardiac surgeons only take seven years to learn their trade, Etchemendy said, "I hope there are no disciplines where more than seven is the norm, because I think that's just too long for a person to be delaying their career. But, in any event, we are as competitive as any and more competitive than most."

Professor Simoni pointed out that the TGR in Biology will actually be $10,000 a year, because his graduate students enroll for four quarters, not three. While eyes were still focused upon him, Simoni could not resist a familial announcement: "John, did you know that about two hours ago, that Sabrina Cecilia Simoni was born at Packard Children's Hospital? ... to the proud grandparents of Robert and Diane Simoni?" Professor Cohen cried out, "Mazeltov!," and there was much applause. This was the first birth announcement in Faculty Senate history! [This is Simoni's fourth grandchild; he has caught up to the Academic Secretary].

Vice Provost Bravman queried, "So what will the TGR be when she's in the Ph.D. program?" Simoni did not answer verbally, but was sure that his estate would cover these costs.

Open Forum

Chairman Wasow noted that Simoni's gift from his daughter-in-law would have been more appropriately mentioned in this segment of the proceedings. Mercifully, there were no other comments, as time was running short.

V. Other Reports
I. Annual report of the Committee on Undergraduate Admissions and Financial Aid -- 2002/03 (SenD#5491).

Chairman Wasow was pleased to welcome Professor Hazel Markus, chair of C-UAFA, who began. "Thank you, Mr. Chair. I'll try and be brief, because we were here in June of 2003 for an extensive presentation. I will go over some recent points and points we didn't cover. C-UAFA met ten times last year. Members of the committee included Hazel Markus, Chair, Hans Andersen, Rob Dunbar, Harry Elam, Paula Moya, Stephen Monismith, Ellen Porzig, Debra Satz, Lillian Bowie, Sunaina Sinha, Adam Wright and two ex officio members, Robin Mamlet and John Bravman. The committee was staffed by Christine Wire, and then Charlotte Glasser.

"Each year, C-UAFA reviews the statistics on the incoming class and this last year, 2002/2003, we reviewed the statistics on the class of 2007. Stanford received 18,628 freshman applications, with offers of admission being sent to 2,343 applicants. Of those, 597 were from early decision and 1,746 from the regular review round. This translates into an overall admit rate of 12.6 percent. Once again, admission was highly competitive, with approximately 11 applicants competing for each space in our freshman class. The transfer admissions process was extremely competitive again this year. One hundred and one students were admitted from this applicant sub-pool of 1,230. This was an 8.2 percent admit rate.

"This year's yield on the freshman class was up to 70 percent. Last year, it was 69.2 percent for the class that entered in the fall '02. And it was up from 65.1 percent from five years ago. Our yield on our strongest of those admitted, as measured by SAT scores and grades, has risen similarly over the past few years. We hope to speak longer about the whole process in an Executive Session of the Senate in an upcoming meeting. And, at that point, we'll be happy, more than happy, to break down these data into various categories that may interest you.

"Besides the regular updates that the committee received on the activities of the Office of the Undergrad Admission and Financial Aid, we engaged in extensive discussions of several key issues. These included the Advanced Placement policy and the impact of AP credit policy on the admission process; the role of SAT I and SAT II in the admission process; and the role of Stanford in the national conversation concerning undergraduate admission and financial aid. Those last three form the basis of the report that we gave in June. Some of you may remember that part of our presentation included a clip from the popular film, "Orange County," which featured a not-so-flattering representation of Stanford's Office of Admissions!

"I want to report that since then, there are two new films that fall into this category. One movie is called 'Perfect Score,' and the other one is called 'SAT.' Both, interestingly, appear to herald a popular uprising against the SAT. It seems clear that the SAT is being widely debunked as a valid measure of the 'right stuff.' Now this idea is being very widely disseminated, and people are mad as hell, and they're not going to take it anymore. This is not just in the movies. We're going to be increasingly faced with what the
score means and confronted with deciding what we, at Stanford, think this score means. I anticipate that there will be many more interesting discussions ahead about this in C-UAFA.

"One issue that we didn't cover in the June meeting, but was an important part of our discussions in C-UAFA last year, had to do with the President's Scholars program.

It was started in 1995 as an admission strategy to enroll the top 200 admits, a way to bring in our best student applicants. Those named as President's Scholars received a research grant to help jumpstart their research at Stanford and they received a more favorable financial aid package. Some students were delighted to be President's Scholars, but there were many other points of view. Other students who were admitted felt that it was a practice of marking and distinguishing that didn't serve the role it was meant to serve.

"Many Stanford students and faculty criticized the program for creating an intellectual elite instead of supporting a level playing field. Some students resented not being selected to be President's Scholars, looked less favorably on their admission to Stanford, and went elsewhere. Then there were others who were admitted as President's Scholars, read this designation as meaning that they were singled out as a top admit, and then opted to go to other institutions where it was clear that all the admissions were equally spectacular, in contrast to Stanford where there were only 200 admits who were so good. These were unintended consequences.

"In addition, at Stanford the admissions and the research environment have changed quite dramatically. It has become increasingly difficult to determine the top 200 admits. Moreover, and I think most important, undergraduate research has become a hallmark of a Stanford undergraduate education rather than an exception at Stanford. There are plentiful resources for any student who is motivated to do research.

"It seemed to us that there were many reasons to make changes to the President's Scholars program. We decided not to give Presidential Scholars awards to the incoming class of 2007, but, instead, to run a 'shadow program' to help us evaluate what the impact has been on the people that would have been Presidential Scholars in the 2007 class.

The 'shadow program' study suggests that awarding the President's Scholar designation is really of little value for increasing our yield of enrollees. Instead, the admissions office now appropriately emphasizes that all of the students at Stanford, all admitted undergrads who want to do research, will find the support to do so. We found that for the frosh entering in 2003, 46 percent of those that we designated in our 'shadow program' as Presidential Scholars entered the class. In the real Presidents Scholars program in 2002, 45 percent of those so designated entered; for 2001, the yield was 45.5 percent. So it seems to make no difference at all in our overall yield. We then looked carefully, breaking apart the group by intended majors. And it appears that all areas did fine without the formal program, save social sciences. In the social sciences, our yield was down a bit in the 'shadow
"Separate from the Presidential Scholars program, the admissions office is continuing to work extremely hard on increasing the yield, and in particular, the yield of the most intellectually engaged students. A number of you at this moment are generously giving your time to a new program, an e-mail program that we've started recently. And we think this may be very helpful. Students who have been admitted who want to ask questions send an E-mail to someone who has agreed to do this. It only takes five minutes of your time and you can make a big difference. It's a sense that the faculty are there for students, that they are responsive, and that they care. So thank you all for doing that! Anybody else who wants to join...let us know.

"At this point, I'm going to ask Robin to speak a bit about another innovation this year, a 'single-choice early action' program."

Dean Mamlet began, "This year we moved from an 'early decision' program that had been binding (i.e., students were admitted and thus were forced to enroll at Stanford) to an 'early action' program with a slight modification. Students apply early; if they're admitted, they have until May 1st to decide whether or not they will enroll, but this is the only place to which they can apply early. We moved to this program for a number of reasons. The two primary ones were that we wanted to decrease the kind of pressure that we were hearing students felt in having to make that significant choice so early in their senior year. Another one was responding to complaints that 'early decision' really disproportionately advantaged the wealthy students, because students who applied for financial aid didn't have the luxury of comparing financial aid packages in the spring. So moving to 'early action' gives a better chance for a more diverse pool.

"What we found out this year was that both of those drivers actually were improved by moving to 'early action.' Students did report that it was a better program for them; it was more student-friendly. And certainly the pool expanded in its diversity. We also found a few surprises, most of them good, but one of them was that we had under-anticipated the popularity that this increase would have. We moved from an applicant pool of about 2400 to 4100. Another surprise was the strength of the pool. Typically, when you increase your applicant pool, and the size of your applicant pool goes up, the quality goes down. For us, it was the opposite. The quality was incredibly high. The other surprise was the increased amount of attention that these admitted students would request from the point at which they got their admission letter and May.

"I think that the jury is out on whether this is ultimately the way to go. What I will say, though, is that you're going to see a stronger class because of it. You are going to feel it immediately. Those admitted are exceptional. And 800 admits does form a very significant portion of the freshman class. Early indication is that our yield will be very high on them."

In a brief discussion/question period, Professor Gardner asked, "When you come back, will you discuss the implications of the
new SAT, what kinds of changes you think are appropriate, and whether it increases the difficulty [e.g., in reading essays] in comparing students?"

Dean Mamlet agreed to do this, but added, "...the quick answer is that we're not looking at the grade on the essay. We're not choosing to evaluate the scoring on the essay."

Fortunately for the time crunch, Professor Hastorf was seated next to President Hennessy, who could answer Hastorf's question about which other institutions were pursuing the same path of an early action (modified) program. The answer, shared with the entire Senate, was Harvard and Yale.

Professor Joss asked, "Are you bothered that only 45 percent of the best students are enrolling, whereas the average enrolling of all accepted is 70 percent?" Professor Markus and Dean Mamlet looked searchingly at each other on this one, and the Dean said, "You know, I think that we always want the yield at the top to be strong. But the yield has been going up considerably." Professor Markus added, "The top is very heavily recruited and tied to SATs."

At this point, with time growing short, Dean Mamlet said that, "...if there are other things that you'd like to go over when we speak to an Executive Session, it would be effective to get an e-mail from you that states your relevant question."


Chairman Wasow indicated that we would hear from Chris Handley, Chief Information Officer, about the Oracle system, but discussion of his report would be deferred until the Executive Session that would follow immediately in the Law School faculty lounge. He introduced the other guests as well, "...Randy Livingston, Vice President and Chief Financial Officer; Anne Hannigan, Associate Vice President, Office of Research Administration; Susan Calandra, Controller; Susan Webert, Director of Procurement; and Steve Jung, Director of Internal Audit."

Chris Handley began. "Thank you very much. In creating this presentation today, I realized it was actually for two audiences. One is you, but the other is behind you in the department, your administrators. So for that reason, at each of your seats, you have a copy of this presentation. You also have a copy of what we believe remains to be done in the Oracle financial system. Why are we going through this? What are the top issues? Why did we make the decision? How did we get here? People want to know what the next steps are, and what our current progress is.

"So, why are we doing this? Back in the early '90s, we decided to replace the SPIRES system with commercial applications. One of our biggest problems with SPIRES, because we had written all of the software ourselves, was that we had no one to consult with about any regulatory changes that were dumped upon us. Now, in moving to commercial software, when a new law comes out or a
regulation comes out, we actually do not have to write the
upgrades to do that. Another problem was, because they were
batch systems, they were extraordinarily slow when it came to the
end of the year. It took us an incredible length of time to close the
University's books.

"Now, you're probably thinking, or I would be thinking if I were you,
'Well, you know what? You seem to have actually recreated that
problem.' And it is true that there's a lot of pain on the campus
right now. But, as with Axess, things are getting better. And by the
time we're finished, we will basically be getting things much faster
than we've had before. In our situation now, if we have an
upsweep of work, we can actually go out and bring in consultants,
because they understand these commercial applications. We were
never able to find anyone who understood the SPIRES system
outside of Stanford.

"What are the top issues right now? The most important one, I
think, is that productivity has decreased in schools and
departments. There has been a steep learning curve. The time to
complete transactions currently is quite long. In some cases, it's
two to three times what it used to be.

"The system is now six months old. My assessment is that you
would normally expect to see this level of problems at three
months, not at six months. We know that. The system is still young
enough so that, occasionally, it will do things such as freezing. We
also recognize there are missing and inaccurate data. And initially
there weren't enough reports out. There still aren't. But the rate of
report generation is picking up.

"Central services, such as procurement to the end user, have
slowed down for a couple of reasons. One is that administrators in
departments are taking longer to complete requests. But also, the
workers in the central departments are taking longer to complete
things as well.

"What we have to recognize is that the toll on individual
administrators in schools and departments is very high right now.
These are all people who pride themselves on doing their work,
people who pride themselves on having the information for you.
And at the moment, they feel completely disarmed, embarrassed,
and ashamed because they can't actually get the information for
you.

"What does this mean to individual academic schools and
departments? Managing money is difficult, if not impossible, right
now. Anne Hannigan had to release people from the quarterly
certification because there wasn't the information there that you
could actually certify. Productivity in schools is low. The perception
of you and other end users is that the usability of the system is
low. Morale is low. It's all unacceptable.

The requirements of our sponsors are not being met. And the
transactions are taking much longer.

"So how did we get here? The facts are that all of us who were
involved either at the executive levels, management, and the
teams made some mistakes during the implementation. All of us
made mistakes, some of which were foreseeable, some of which
were surprising. But the combination of these have given us the
results we've got today [one observer likened this to 'the perfect
storm of financial system management problems']. You would
have expected in November to see a whole bunch of problems
related to errors in the conversion, related to the fact that people
were trying to climb the learning curve. But this has gone on far
longer. And why is that?

"The first reason is, unlike AXESS, which, as you may remember
came out in nine successive rollouts, with Oracle we had a huge
struggle internally and went with what is referred to as the 'big
bang' model. Now, we now understand why it's called that!

The reason we were forced into that is when we had to change the
Chart of Accounts, the backbone of every financial system, we
were forced to change it everywhere. If you don't change it
everywhere, what you've got is the core of the system in the new
Chart of Accounts, and the ancillary system on the old Chart of
Accounts. And, unfortunately, because we had so many accounts
before, it is not a one-to-one relationship between the new chart
and the old chart. So if we brought up just half of it in the new
Chart of Accounts and left the old half as it was, we would have
had an even worse reconciliation problem than all of you are
experiencing today. The other problem with the 'big bang'
approach is that many people at Stanford get their help in informal
ways. When you have something wrong, you often don't get a
Help SU ticket, but instead pick up the phone and call someone in
the central office. Well, the problem with 'big bang' is that
the people in the central office have exactly the same number of days
of experience on the system as you do in the schools.

"Another problem coming out of the 'big bang' was just the sheer
number of problems that arose. Project managers underestimated
the amount of resources needed to handle emergency requests in
addition to completing all of the new things that had to be done at
the same time. The team got sucked into doing nothing but
handling emergency requests. What that did was force the team
into a delay mode.

"In addition, because there was not a 'play system' available
before we went live, neither the central offices nor the
departments had a chance to revise their business processes. As
a result we had brand new systems with old processes.

"As you know, we did an enormous amount of training. Many of
you noticed administrators in your offices disappearing for days at
a time. Training was effective, and was one of the few things for
which we received really positive feedback. It clearly wasn't
sufficient, given the magnitude of change to the Chart of Accounts
and some of the paradigm shifts. For example, some of our people
have really struggled with the fact that in this system, to get a
reimbursement, a faculty member has to be set up as a vendor!
That's a paradigm shift. In addition, the implementation challenges
are heightened because we do things differently everywhere at
Stanford. We could not write one report that works for everyone.
Often, six, seven, or eight versions of a report were needed to get something to work.

"What are we going to do about it? First, we've got to manage the project differently. We've started doing that months ago. We've added resources. And we're fixing the data quality issue. The good news is that although you will not be experiencing it at the level of schools and departments right now, there is already evidence that the tide has turned. And we'll show you some of the data that indicates that. We have revised the project plan by dividing all of the tasks -- and you'll see them in that report at your desks -- into As, Bs, and Cs, with As being the most important. We did this in cooperation with schools and departments. You will see the list of people with whom we have been working in the schools and departments. And if you have issues, those are the people to talk to or e-mail to get explanations about what's happening.

"In a 'SWAT team' approach we deployed four senior managers from ITSS and assigned them to key tasks, one for 'reporting', one for the deferred functionality and enhancements, one for daily support, one for data integrity and quality.

"We spent a lot of time working with the Acceptance Partners, work groups and Decision Support Systems to prioritize and design solutions. One of the benefits of going to a commercial system is that we were able to go out and contract with an outside agency to come in and do a technical upgrade to the system. And we also took five other people from ITSS and redeployed them, saying, 'Okay, your job is to look at speeding up reports.' 'Your job is to look at increasing system performance.' We added some outside consultants to improve reporting performance. We made the Help Desk more responsive by assigning analysts to work with all of the Help tickets that are coming in. For example, although we might receive 500 Help tickets during any one day, those are not 500 unique Help tickets. Often we could group them and solve the problem in 15 rather than 500 steps.

"We've also been bringing consultants into the central offices to try and streamline the business processes there. You might ask 'Well, why don't you bring consultants into my department to help me streamline?' I think that's a reasonable question. But if we do not improve the speed in the central offices, your perceived speed out in the schools and offices will be even slower. We have to fix crucial central problems first. We have temporarily brought people on in the central offices to remove transaction backlogs. We brought them on in disbursements and purchasing."

Are these measures having any effect? Mr. Handley showed a graph of time taken to 'close the month' accounts. In September it took 22 days; this has steadily fallen to, in January, 6 days. The target is to lower this to 5 days. Another graph showed that reports available increased from 26 "central" reports available in September to 75 in February, with a similar increase in "distributed" reports. Data issues in "expenditure" reports has fallen from 18 in October to about 4 in January, meaning that there are only 4 or 5 problems that have to be fixed on the expenditure statement before departments will be able to certify. "Open" Help tickets have fallen from 500 in January at any given time to fewer
than 320 on February 10th.

Handley admitted that it is "...a pretty miserable time on campus. Some of it was avoidable, some of it was not. Some of it was just the 'fog of war' when you're doing a very large implementation. But we are making progress. And what I would like to suggest is that I come back in a couple of months with another progress report. At the speed with which things have picked up lately, a couple of months will make a huge difference on campus."

Mr. Handley ended by showing some "ITSS Customer Satisfaction Survey" data. It was interesting that in November, satisfaction was reasonably high, "...when" as he drolly expressed it, "people still had hope." He admitted that these numbers would not be as high today.

At this point, Chairman Wasow thanked Mr. Handley for his frank and complete presentation.

VI. Unfinished Business

- The 'unfinished business' of discussing Mr. Handley's report was to be moved immediately to executive session in the Law School faculty lounge.

VII. New Business - None

VIII. Adjournment

4:35 p.m.

Respectfully submitted,

Edward D. Harris, Jr., M.D.

George DeForest Barnett Professor, emeritus

Academic Secretary to the University
Resolution on Journals, Databases, and Threats to Scholarly Publication

The Indiana University Libraries in Bloomington will spend about $9.2 million in 2003/04 for materials allocations. More than 70 percent of this expenditure is for serials and databases. The continuing escalation of serial prices, which have more than doubled in the past 10 years, is unsustainable in the long run. The increase is due to a number of factors: the information explosion, the expansion of electronic capabilities by publishing groups, as well as the growth of mega-publishers whose profits greatly exceed the Consumer Price Index. Our libraries have weathered this period but at the expense of severely restricting the number of new serials and by a reduction of the budget for monographs. Indiana University is not unique—all universities are dealing with similar situations.

It is important that Indiana University take steps now to address both the budgetary and journal access problems we anticipate in the near future. These steps will require a university-wide approach, including such actions as detailed reviews of serial subscriptions and their use, tougher negotiations with publishers, and collective action to move toward electronic-only access for most serials. The IU Libraries need continuous input and support from faculty, staff, and students as these processes take place.

Additional steps should be taken by individuals in the course of their scholarly activities to support publishers whose business practices tend to make the products of scholarly activity more widely available and affordable. Faculty and staff may wish to separate themselves from publishers whose business practices do not support open access. This could be done by withholding publications from their journals or choosing not to sit on their editorial boards.

Such a change in our university and departmental perspective will have many ramifications in our scholarly culture, since publication is a core value in our research and creative activities. In tenure and promotion decisions faculty and staff must be confident that there is departmental and university support for their decisions to publish in refereed journals with more open access.

The Resolution:

Scholars and their professional associations share a common interest in the broadest possible dissemination of peer-reviewed contributions. Unfortunately, it is the business practices of a few large journals and journal publishers that threaten to limit the promise of increased access inherent in digital technologies. Therefore, the Bloomington Faculty Council

A) calls on all faculty, staff, students, and university administrators of Indiana University Bloomington to work toward a more open publishing system by increasing their support of existing refereed journals and publishers whose practices are consistent with open access to scholarly communication and to support those who make such choices when considering tenure and promotion;

B) encourages faculty and staff to separate themselves from publishers with a narrow focus on profits at the expense of open scholarly publication;

C) calls on the university Libraries to educate faculty, staff, students, and university administrators on the business practices of different journals and journal publishers and their impact on the health of scholarly communication and on our Libraries at Indiana University Bloomington.
Rising cost of journals and electronic databases are constraining the development of our library collections. Because access to the scholarly literature is vital to all members of our academic community, the Bloomington Faculty Council

D) supports Indiana University libraries in efforts to join with the libraries of other academic institutions to promote open scholarly communication;

E) encourages all faculty, staff, students, and university administrators to work closely with our librarians to find effective ways to maintain the excellence of our collections;

F) calls on librarians on all IU campuses to work together to provide the campuses with a rich and coherent array of electronic journals and databases at the most cost effective prices;

G) expects librarians to be aggressive in their negotiations with vendors and even to withdraw from negotiations where excessive price increases are demanded;

H) expects librarians to reduce significantly duplicate print/online subscriptions and to review and cancel subscriptions judiciously.

Approved by the Bloomington Faculty Council: March 2, 2004
University of Connecticut Faculty Senate Resolution on The Crisis in Scholarly Communication

The University Senate Budget Committee presented a report entitled "The Crisis in Scholarly Communication and an Initial Response." The Senate then debated, amended, and ultimately passed the following resolution:

Resolution

Access to the scholarly literature is vital to all members of the academic community. Scholars and their professional associations share a common interest in the broadest possible dissemination of peer-reviewed contributions. Unfortunately, the business practices of some journals and journal publishers is inimical to these interests and threatens to limit the promise of increased access inherent in digital technologies. Development of library collections is more and more constrained by the rising costs of journals and databases. Faculty, staff, students, and university administrators must all take greater responsibility for the scholarly communication system.

Therefore, the University Senate calls on all faculty, staff, and students of the University of Connecticut to become familiar with the business practices of journals and journal publishers in their specialty. It especially encourages senior tenured faculty to reduce their support of journals or publishers whose practices are inconsistent with the health of scholarly communication by submitting fewer papers to such journals, by refereeing fewer papers submitted to such journals, or by resigning from editorial posts associated with such journals. It encourages them to increase their support of existing journals and publishers whose practices are consistent with the health of scholarly communication.

The Senate also calls on University administrators and departmental, school, college and University committees to reward efforts by faculty, staff, and students to start or support more sustainable models for scholarly communication. It calls on them to provide financial and material support to faculty, staff, and students whose work helps to ensure broad access to the scholarly literature. It also calls on professional associations and the University to invest in the infrastructure necessary to support new venues for peer-reviewed publication.

Finally, the Senate calls on the University Libraries to provide resources that help faculty, staff, and students understand the business practices of different journals and journal publishers and their impact on the health of scholarly communication.
I’ll accept statements by learned societies and professional associations in any field, from any country, in any language, whether they are favorable or unfavorable to open access.

Alphabetical by organization.

1. American Anthropological Association. AAA offers its members free online access to a vast array of resources in anthropology, including datasets, photos, videos, and the full-text contents of all AAA journals.
2. American Physical Society. The copyright transfer agreement the APS uses with its journals, allowing authors to post articles to eprint servers. February 2001.
4. Association for Computing Machinery. See especially 1.1, 3.1, 5.1. This 1998 policy has been updated and supplemented by current rules for preprints.
5. Association of Learned and Professional Society Publishers. The model “license to publish” that it recommends for use by society journals.
7. The Geological Society. The policy that applies to all of its journals.
8. Higher Education Funding Council for England. This excerpt of the 1996 Research Assessment Exercise is the only part relevant to open access, and the only part still on the web.
10. Institute of Physics. See paragraphs 3.1 and 3.2.
11. International Mathematical Union. Endorsement of “open access” as a goal for all mathematical literature (May 15, 2001). The IMU has also endorsed copyright advice for mathematicians; see especially point 3.c from the Executive Summary. Also see the IMU’s short version of the Hodges checklist.
14. Russian Society of BioPsychiatry. I can’t find the actual text yet and have linked to a news account of the statement.

There must be more than this! If you know of any others, please send me an email.

For policy statements by journal publishers, see the list at the Self-Archiving FAQ and Project SHERPA.

Tools to support online archives and journals

I formerly had a list of software tools to support online journals here. But I've removed it (April 2, 2002) because SPARC has created a much better one (with which I helped a bit). I retain this pointer in case external links still point to my old list.

University actions for open access or against high journal prices

Originally this list was devoted to significant university actions to protest, resist, reverse, or extricate themselves from high journal prices, inflexible bundling arrangements, or oppressive licensing terms. I was especially interested in large-scale cancellations, new institutional policies, Faculty Senate resolutions, public statements, and recommendations to faculty, librarians, and administrators. I've since expanded its scope to include actions...
and statements in support of open access, even if they are not directly connected to the problem of high journal prices.

- I quote substantial excerpts from public statements, when I can, because I know it is difficult to read them all separately and pull together their notable elements.
- When I know of news stories about the university actions, I include them. But I haven't gone out of my way to hunt them down. The university actions are primary.
- I only list each university once, and include subsequent actions and related news stories in the same entry. In the case of the University of California, since many of the separate campuses acted before the system acted, I list them separately. In the case of the four university members of the Triangle Research Libraries Network (TRLN), I list them under the entry for the TRLN.
- While the list so far is limited to U.S. universities, that's only because I don't know of similar actions elsewhere. I welcome additions and corrections.
- Chronological order, starting in the fall of 2003. There are earlier actions, but they do not seem to be part of the current wave. As I learn about earlier actions, I will consider adding them.


   - **Summary:** The University cancelled an undisclosed number of journals. It emphasized that the problem was runaway journal prices, not the library budget: "Berkeley will continue to face this runaway serials pricing even after the present budget crisis is over." Recommendations: "Faculty need to become aware of the pricing policies of journals (including commercial electronic journals) in their fields....Submit papers to quality journals that have reasonable pricing practices. Modify any contract you sign with a commercial publisher to ensure that you retain the rights to use your work as you see fit, including posting it to a public archive. Consider declining offers to review for unreasonably expensive journals and to serve on their editorial boards....Make changes in scholarly communication a recurring topic at departmental meetings. Consider taking over the publication and distribution of research within your scholarly community. This has already begun at Berkeley, particularly with our colleagues in the Sciences and the Social Sciences....Encourage your professional associations to maintain reasonable prices for scholarship and to establish access terms that are friendly to faculty and other users....The appearance of unconscionable pricing for academic journals...is a problem that has come upon the academy suddenly and has now reached crisis proportions. We will have no one to blame but ourselves if we do not begin to address it at once.'

   - On September 15, 2003, the Berkeley Graduate Student Assembly released a [public statement](#) on the pricing crisis and journal cancellations. It cites the California Digital Library and Project Euclid as good examples of "alternate publication models", but adds that they cannot suffice. "The success of alternate models requires awareness on the part of faculty and students of the problems inherent in the current model. The Graduate Assembly calls on faculty, administrators, and graduate students to support a significant culture change in academia; we must create an environment in which faculty and students can choose to publish their cutting-edge research outside the standard academic publishing industry."

   - The Berkeley library set up a [web site](#) with background information on the problem and more detail on the Berkeley response. The site includes a useful [FAQ](#).

In March 2005 the Berkeley Faculty Senate adopted a [Scholarly Publishing Statement of Principles](#).

   - **Summary:** Faculty should retain "control" of their "scholarly output". This "will allow Berkeley faculty greater freedom to disseminate their work, therefore increasing
others' use of it and maximizing the impact of their scholarship. “Promotion and
tenure decisions “will not discriminate against alternative venues for scholarly
communication.” The university “will provide appropriate incentives and tools for
faculty to establish alternative scholarly outlets, serve on and lead relevant editorial
boards, and submit their scholarly work to such ventures.” “The faculty and
administration of the University of California, Berkeley will support the Library’s
efforts to curtail unsustainable pricing structures even if this sometimes means
losing access to titles.”

2. University of California at Santa Cruz: Resolution on ties with Elsevier Journals, adopted
by the Committee on the Library and sent to the Faculty Senate, October 24, 2003.
- The resolution is dated October 8, because that is when it was submitted to the
  Faculty Senate for discussion. The Faculty Senate adopted it on October 24.
- Summary: Elsevier journals cost 50% of the UC online serials budget but attracted
  only 25% of the usage. Elsevier profits rose 26% the previous year. Elsevier has been
  inflexible in negotiations. Taking the University of California system in its entirety,
  10-15% of Elsevier content was written by UC faculty, 1,000 UC faculty serve on
  Elsevier editorial boards, and 150 serve as senior editors. The resolution
  recommends using the California Digital Library, the related eScholarship Repository,
  and peer-reviewed OA journals from PLoS and BMC. It urges faculty to retain
  copyright, the right of postprint archiving, and the right to distribute copies of their
  work to their classes. “Therefore, the UCSC Academic Senate resolves to call upon its
tenured members to give serious and careful consideration to cutting their ties with
Elsevier: no longer submitting papers to Elsevier journals, refusing to referee the
submissions of others, and relinquishing editorial posts. The Senate also calls upon
its Committee on Academic Personnel to recognize that some faculty may choose not
to submit papers to Elsevier journals even when those journals are highly ranked.
Faculty choosing to follow the advice of this resolution should not be penalized.”

3. University of California at San Francisco: Challenges to Sustaining Subscriptions for
Scholarly Publications, memorandum to all UCSF faculty from Karen Butter, the University
Librarian, and Leonard Zegans and David Rempel, co-chairs of the Committee on Library,
November 1 2003.
- Summary: The memorandum cites many of the same numbers and complaints as the
  Santa Cruz resolution (above). While singling out Elsevier it also generalizes that
  many commercial publishers are using unsustainable business models. “The
Committee suggests that all UC faculty consider alternatives to publishing in and
editing Elsevier journals. New initiatives, such as Public Library of Science and
BioMed Central, promise high-quality peer-reviewed content at affordable prices.
The Committee also suggests that faculty consider taking action by retaining certain
intellectual property rights, such as including the right to post their work with an
institutional repository....Therefore, should the negotiations with Elsevier fail, the
Committee on Library strongly recommends that members of the UCSF faculty give
serious and careful consideration to their association with Elsevier and consider the
following actions: cease submission of papers to Elsevier journals, refuse to referee the
submissions of others, and relinquish editorial posts. We would encourage any
UCSF faculty who elect to alter their relationship with an Elsevier journal to notify
the journal of their reason for doing so. Authors may also consider crossing out the
provision in a standard publication contract that gives exclusive ownership of a
published article to the publisher and thereby retain the right to publish the work in
an electronic medium (e.g. UC’s eScholarship Repository or others.)”
- The memorandum links to the web site on scholarly communication created by the
  University of California libraries (systemwide), which recommends that faculty “[s] upport
open access journals and self-archiving”.

4. Harvard University: Letter to the Harvard faculty from Sidney Verba, Director of the
University Library, December 9, 2003.
Summary: The letter announces Elsevier cancellations, which took effect January 1, 2004. The cancellations were "driven not only by current financial realities, but also—and perhaps more importantly—by the need to reassert control over our collections and to encourage new models for research publication at Harvard....Elsevier journals are by far the most expensive....Elsevier's 2004 contract proposal to NERL was not responsive to Harvard's objectives....Of greatest concern to the Digital Acquisitions Committee and to the University Library Council was the lack of any option by which Harvard could prune its holdings and reduce its level of spending. Libraries wishing to cancel subscriptions could do so, but only by incurring steeply increased fees that obliterate any potential savings —while Elsevier's revenues continued to rise....Toward this end, we have foregone the NERL Elsevier license in 2004 in order to regain control over Harvard library collections in a manner that responds to the University's academic programs. Instead, the libraries will purchase online access to Elsevier journals individually and selectively....Declining the bundled agreement and intentionally reducing our outlay for Elsevier titles will ultimately give us the ability to respond to the marketplace unfettered by such artificial constraints....We believe this action can be a springboard for a vigorous and sustained effort to foster new models of research publication at Harvard. This effort could take many forms, all of which will require the active involvement of Harvard's research community. On many levels, Harvard is changing the ways in which it does business."


5. Cornell University: Resolution regarding the University Library's Policies on Serials Acquisitions, with Special Reference to Negotiations with Elsevier, adopted by the Faculty Senate, December 17, 2003.

Summary: "At Cornell, Ithaca campus library budgets for materials increased by 149% during [the period 1986-2001], but the number of serials titles purchased increased by only 5% —at a time when the number of serials published increased by approximately 138%....Over the last decade Elsevier's price increases have often been over 10% and occasionally over 20% on a year to year basis....The [Elsevier] contract has been priced as a 'bundle,' that is, in such a way that, if the library cancels any of the Elsevier journals it currently subscribes to, the pricing of the other individual journals the library chooses to keep increases substantially. (The actual process is somewhat more complicated than this, but this is the end result.) Because the prices of the journals that are retained greatly increase when others are cancelled, the only way to achieve any real savings is to cancel a great many journals....The library, in consultation with affected faculty, has identified several hundred Elsevier journals for cancellation at the end of 2003....[T]he University Faculty Senate endorses the library's decision to withdraw from Elsevier's bundled pricing plan and undertake selective cancellation of Elsevier journals....Recognizing that the cost of Elsevier journals in particular is radically out of proportion with the importance of those journals to the library's serials collection (measured both in terms of the proportion of the total collection they represent and in terms of their use by and value to faculty and students), the University Faculty Senate encourages the library to seek in the near term, in consultation with the faculty, to reduce its expenditures on Elsevier journals to no more than 15% of its total annual serials acquisitions expenditures (from in excess of 20% in 2003)....Recognizing that the increasing control by large commercial publishers over the publication and distribution of the faculty's scholarship and research threatens to undermine core academic values promoting broad and rapid dissemination of new knowledge and unrestricted access to the results of scholarship and research, the University Faculty Senate encourages the library and the faculty vigorously to explore and support alternatives to commercial venues for scholarly communication."
• The resolution links to a Cornell web site with background information on the problem and more details on the Cornell response.
• Paula Hane, Cornell and Other University Libraries to Cancel Elsevier Titles, Information Today, November 17, 2003.
• Doris Small Helfer, Is the Big Deal Dead? Searcher, March 2004. Primarily on the Cornell action. [Not online.]

6. University of California system: Letter to all UC faculty from Lawrence Pitts, Chair of the Academic Senate, and the head librarians of the 11 UC campuses, January 7, 2004.
   • Summary: The letter cites and summarizes the preceding actions taken by several of the UC campuses (above) and announces the cancellation of “approximately 200” journals. “The economics of scholarly journal publishing are incontrovertibly unsustainable. Taming price inflation is not enough. Unless we change the current model, academic libraries and universities will be unable to continue providing faculty, students, and staff with the access they require to the world's scholarship and knowledge. Scholars will be unable to make the results of their research widely available. These are not statements about any single company, about the strengths and weaknesses of for- and not-for-profit publishing, or about the prospects of open-access versus subscription-based journal models. They are merely observations about economic reality....[W]e are have been paying more for access to a smaller proportion of the world's published knowledge. If we are to halt or even reverse that trend, we must aggressively ramp up and institutionalize our efforts to change the scholarly communication process....The UC Libraries are working aggressively to...support alternative means for publishing scholarly materials that make high-quality peer-reviewed work available at an affordable price.”
   • The university created a Special Committee on Scholarly Communication to examine new methods of scholarly communication.
   • Also see the web site on scholarly communication created by the University of California libraries (systemwide), which recommends that faculty “[s]upport open access journals and self-archiving”.
   • On April 29, 2003, the UC Systemwide Library and Scholarly Information Advisory Committee adopted a resolution on Digital Library Journal Collecting Principles. “To align costs with value, the Committee recommends that UC libraries, in close consultation with the faculty, initiate a Systemwide review and renegotiation of the University's contracts with publishers whose pricing practices are not sustainable.”
   • Jennifer Murphy, Library struggles to fund access, Daily Bruin, November 17, 2003.
   • Elsevier issued its own press release on the California contract, emphasizing the volume of material the deal makes accessible to California users, January 10, 2004.
   • List of Elsevier titles for which the University of California libraries currently have subscriptions.
   • Open letter from the UC Academic Council and university librarians to UC faculty about rising journal prices, January 14, 2005.

On March 10, 2005, the University of California Systemwide Library and Scholarly Information Advisory Committee adopted a Resolution on The University’s Role in Fostering Positive Change in Scholarly Communication.
   • Summary. High journal prices have created “a state of crisis that threatens to
compromise the University of California’s core mission.” The committee calls on the university administration to "support publications and publishing innovations that disseminate scholarship to the broadest set of readers at the most affordable cost" and "establish and sustain repositories and alternative publishing mechanisms that enable the broadest dissemination of UC’s scholarship". It also calls on the university faculty to "seize every opportunity to regain control of and maximize the impact of their scholarly communication; manage their intellectual property in ways that allow retention of critical rights, in order to ensure the widest dissemination of UC’s scholarship and its unfettered use within the University to support teaching and research;...eliminate affiliations with publishers whose publishing and pricing practices reveal a focus on profits at the expense of open scholarly publication; [and] support library actions that attempt to break the cycle of hyper-inflation in the cost of scholarly material even when such action reduces access to material."


- The memorandum speaks for the entire TRLN consortium, which has four university members. However, the memorandum is only addressed to the faculties of three members. I don’t know why the fourth, North Carolina Central University, was omitted.

- Summary: "[T]he member universities of the Triangle Research Libraries Network (TRLN) have decided to discontinue the consortial arrangement by which they provided access to electronic journals published under the Elsevier Science imprint....Throughout months of renewal negotiations with Elsevier, TRLN and its member libraries have articulated two principal objectives: [1] To regain and maintain control over library collecting decisions in order to meet the constantly evolving information needs of faculty, researchers, and students; and [2] To manage overall costs in order to keep Elsevier expenditures consistent with materials budgets that have not been increasing at anywhere near Elsevier’s annual inflation rate. Elsevier’s final offer fails to meet both of these objectives....Because Elsevier Science has not offered TRLN a pricing model responsive to the needs of the consortium, TRLN has elected to terminate its consortial arrangement with Reed Elsevier. Each TRLN library will now make individual arrangements for Elsevier journal access on its own campus....Although libraries and universities are supporting new publishing models in an effort to maintain access to high-quality, peer-reviewed research at a manageable cost, there is still a reliance on the products of for-profit publishers. As a result of this dynamic, libraries can no longer offer the same range of publications to the academic community....The libraries...will begin to explore with you new models of scholarly communication that may, in the long term, help reduce costs and make scholarly information more widely available."

- TRLN member North Carolina State University adopted a separate [Resolution on Bundled Content and Elsevier](http://www.earlham.edu/~peters/fos/lists.htm) on December 2, 2003. “Whereas, open access and communication of scholarly research are fundamental to intellectual and academic freedom and critical to economic growth and development...Resolved, that the North Carolina State University Faculty Senate affirm the responsibility of the university, through its Libraries, to maintain strong and flexible control over the state funds entrusted to it and for the Libraries to continue to make sound fiscal decisions that will provide balanced collections that meet the current and future needs of NC State Faculty and Students including the ability to decline highly restrictive offers, such as those recently proposed by Reed Elsevier for its ScienceDirect online product.”

• Joseph Schwartz, Campus to drop journal contract, U of North Carolina at Chapel Hill's Daily Tar Heel, January 16, 2004.
• Tracy Ke, As journal prices rise, libraries struggle, Duke Chronicle, February 4, 2005.

   • I blogged this news on February 6, 2004, when it seemed to be fairly new. But the web site says it was last updated on December 16, 2003. I haven't yet been able to find other web pages showing which date is more accurate. My guess is that it's February news and the revision date on the page is in error.
   • Summary: “The MIT Libraries have recently taken steps to reduce the impact of two large commercial publishers on our ability to make responsible decisions in selecting information resources for use at MIT. Specifically, we declined three-year renewal contracts that would have required us to guarantee on-going spending levels with Wiley InterScience and Elsevier Science. These actions ensure that if the Libraries need to reduce spending in the next year or two, we can make those decisions based solely on the specific needs of the MIT user community, without giving unfair advantage to certain publishers. The decision to decline the three-year renewals was difficult because the terms for one-year renewals were considerably less attractive. However, the one-year renewals put us in a position of being able to cancel titles next year if we need to.”
   • The announcement links to an MIT web page with more background information.

   • Summary: “Access to the scholarly literature is vital to all members of the academic community. Scholars and their professional associations share a common interest in the broadest possible dissemination of peer-reviewed contributions. Unfortunately, the business practices of some journals and journal publishers is inimical to these interests and threatens to limit the promise of increased access inherent in digital technologies. Development of library collections is more and more constrained by the rising costs of journals and databases. Faculty, staff, students, and university administrators must all take greater responsibility for the scholarly communication system. Therefore, the University Senate calls on all faculty, staff, and students of the University of Connecticut to become familiar with the business practices of journals and journal publishers in their specialty. It especially encourages senior tenured faculty to reduce their support of journals or publishers whose practices are inconsistent with the health of scholarly communication by submitting fewer papers to such journals, by refereeing fewer papers submitted to such journals, or by resigning from editorial posts associated with such journals. It encourages them to increase their support of existing journals and publishers whose practices are consistent with the health of scholarly communication. The Senate also calls on University administrators and departmental, school, college and University committees to reward efforts by faculty, staff, and students to start or support more sustainable models for scholarly communication. It calls on them to provide financial and material support to faculty, staff, and students whose work helps to ensure broad access to the scholarly literature. It also calls on professional associations and the University to invest in the infrastructure necessary to support new venues for peer-reviewed publication.”
   • Before it adopted this resolution, the Faculty Senate deleted a recommendation (contained e.g. in the Santa Cruz resolution) that tenure and promotion committees
should respect faculty decisions to follow the advice of the resolution. See the minutes of the faculty meeting (scroll to item 8).

- Also see the University of Connecticut Libraries' web site on the scholarly communication crisis.

10. Stanford University: Faculty senate approves measure targeting for-profit journal publishers, a press release issued February 24, 2004. The press release is based on a February 19 vote of the Faculty Senate.

- A slightly revised version of the press release was issued on February 25, 2004.

- Summary: With one dissenting vote, the Faculty Senate voted to encourage libraries to cancel some costly journal subscriptions and faculty to withhold articles and reviews from publishers who engage in questionable pricing practices. The motion singled out publishing giant Elsevier as deserving special attention. 'We're not doing this to position ourselves to negotiate more effectively with Elsevier,' said University Librarian Michael Keller. 'We're doing this to change the whole scene. We're trying to change the fundamental nature of scholarly communication in the journal industry....I think it's going to take a long time for its prestige and cachet to wear out,' [biology professor Robert] Simoni said. There are still so many people who think publishing in Cell is going to make their career that they'll still get submissions. But if institutions like Stanford and others stop subscribing to journals like Cell, authors will eventually realize that their work is not being seen. This is an evolutionary change and it will take time."

- My summary is based on the press release. But also see how the action was recorded in the Faculty Senate minutes.


- Summary: The university cancelled consortial access to the Baltimore campus subscriptions and converted the College Park campus subscriptions to electronic-only. It describes the failed Elsevier negotiations in language similar to that in the TRLN statement above, and then continues. "By retaining the ability to cancel titles, the Libraries maintain the option of building collections with other publishers' titles where they provide greater value to the campus community....The University of Maryland is working with other research universities to address this crisis. One example of this type of work is the Libraries' participation in the Scholarly Publishing and Academic Resources Coalition [SPARC]....I firmly believe that universities must address this crisis in the system of scholarly communication. Our libraries need our support in their work with the university community to regain control of their budgets, their collections, and the intellectual property that is the ultimate output of the research enterprise. I encourage you to continue to engage in discussions with our library faculty about what we are doing to explore new models of scholarly communication and restore a measure of rationality to the publishing system. It is important to extend the discussion beyond our campus as well,especially for those of you who serve on editorial boards of journals published commercially or by learned societies."


- Summary: "The continuing escalation of serial prices, which have more than doubled in the past 10 years, is unsustainable in the long run. The increase is due to a number of factors: the information explosion, the expansion of electronic
capabilities by publishing groups, as well as the growth of mega-publishers whose profits greatly exceed the Consumer Price Index. Scholars and their professional associations share a common interest in the broadest possible dissemination of peer-reviewed contributions. Unfortunately, it is the business practices of a few large journals and journal publishers that threaten to limit the promise of increased access inherent in digital technologies. Therefore, the Bloomington Faculty Council [A] calls on all faculty, staff, students, and university administrators of Indiana University Bloomington to work toward a more open publishing system by increasing their support of existing refereed journals and publishers whose practices are consistent with open access to scholarly communication and to support those who make such choices when considering tenure and promotion; [B] encourages faculty and staff to separate themselves from publishers with a narrow focus on profits at the expense of open scholarly publication; [C] calls on the university Libraries to educate faculty, staff, students, and university administrators on the business practices of different journals and journal publishers and their impact on the health of scholarly communication and on our Libraries at Indiana University Bloomington."

The preamble adds the specific recommendations that faculty consider "withholding publications from their journals or choosing not to sit on their editorial boards" and that "[i]n tenure and promotion decisions faculty and staff must be confident that there is departmental and university support for their decisions to publish in referred journals with more open access."


- Summary: Macalaster decided not to sign a three-year renewal of ScienceDirect. "The reality is we just can't commit to the inflexibility of not cancelling any Elsevier titles....[W]e invited faculty members in the sciences divisions to a meeting on Monday, Nov. 10th. At that meeting, we shared the details of the contract and we presented three options including to stay as a participant within the deal, and we explained that by not participating we would not have electronic access to the Elsevier titles we purchased in print. It was a small group, but they were all in agreement, giving up electronic access and access to a significant number of journals that many of them used was a sacrifice that needed to be made and one that they supported."

- Macalester signed the joint press release issued by four private Minnesota liberal arts colleges in May 2004, spurning ScienceDirect in favor of open access. See the next entry below.


- Summary: The four decisions were independent, but the colleges issued a joint press release. "While the reasons and decision processes were somewhat different on each campus, we are all convinced that the escalating prices for many scientific journals are unsustainable and that the time has come for change....Our faculties are aware that this decision will result in a painful reduction in a overall journal access in the short term. But they are supporting us because they understand that it is in the long term interests of our institutions to reassert control over our collections and to encourage new, more sustainable publishing models....Open access journals are a clear alternative to the unsustainable bundling of journals, which prohibits cancellations and which consistently increase at rates of 5-8% per year. We are working with other colleges and universities to address this crisis by supporting the work of SPARC, Public Library of Science, and other groups that seek to increase broad and cost-effective access to peer reviewed scholarship. In declining the Science Direct offer we are joining an increasing number of institutions signaling that we are serious in our demands for reasonable pricing for scholarly communication." The press release recommends that faculty at the four colleges
avoid writing or reviewing “for journals that are not moving towards an open access model” and that they retain the rights to authorize open access. It recommends that the four colleges establish institutional repositories and adopt “policies that signal that publication in quality open access journals is acceptable in the institutions' system of rewards and recognition.”


- Summary: The first resolution simply resolves that “to the extent permitted by law, UNC-CH faculty are the owners of their research and should retain ownership, or use other means to foster open access publication wherever possible.” The second creates two task forces, one to follow-up a campus-wide convocation on OA and one to establish an institutional repository. The second resolution also asks departments “to review tenure and promotion standards to recognize publishing in non-traditional sources” and to educate their faculty about “the problems of scholarly communications”.


16. In March 2005 (exact date unknown), the University of California at Berkeley Faculty Senate adopted another resolution. Chronologically it belongs here in the list, but I've listed it above with the other Berkeley actions.

17. On March 10, 2005, the University of California adopted another resolution. Chronologically it belongs here in the list, but I've listed it above with the other California actions.

18. University of Kansas: **Resolution** endorsing open access unanimously adopted by the Faculty Senate, March 10, 2005.

- Summary: Some publisher business practices are “inimical to scholars' interests”. The Faculty Senate “Calls on all faculty of the University of Kansas to seek amendments to publisher’s copyright transfer forms to permit the deposition of a digital copy of every article accepted by a peer-reviewed journal into the ScholarWorks repository, or a similar open access venue;...Encourages tenured faculty in particular to support journals (and their publishers) whose pricing and accessibility policies are consistent with continuing access to this literature through the choices faculty make in the submission of papers, the allotment of time to refereeing activities, and participation in editorial posts; Calls on University administrators and departmental, school, college and University committees to reward efforts by faculty, staff, and students to start or support more sustainable models for scholarly communication, and to provide financial and material support for organized activities initiated by faculty, staff, and students that will ensure broad access to the scholarly literature;...[8] Also calls on the University, professional scholarly associations, and professional organizations of university administrators to establish clear guidelines for merit salary review, peer evaluation on federal grants, and promotion and tenure evaluation of faculty and staff that will allow the assessment of and the attribution of appropriate credit for works published in such venues....’

- In a March 25, 2005 memorandum explaining the resolution, Provost David Shulenburger urged Kansas faculty to deposit their research output in the UK institutional repository, ScholarWorks. Excerpt: ‘KU ScholarWorks, a digital repository, is now available as a convenient site in which to place your published work, working papers, datasets, and other original material. Items placed in KU ScholarWorks will be archived permanently and will be available to search engines like Google and Google Scholar. Many studies demonstrate that articles that are available electronically are cited in other publications at four or more times the frequency of works that are not available electronically. It is in your interest and the University's to populate KU ScholarWorks with a complete set of KU faculty's
scholarly output.’ Shulenburger also suggests language to use in a copyright transfer agreement to reserve the right to deposit work in ScholarWorks.’

- Shortly after the resolution was adopted, UK became the first U.S. university to sign the Registry of Institutional OA Self-Archiving Policies.
- Roger Martin, Research Findings Should be Made Accessible to Public, Kansas City Info Zine, March 6, 2005.

19. Columbia University: Resolution endorsing open access unanimously adopted by the University Senate, April 1, 2005.

- Summary: The resolution endorsed ‘the principle of open access to the fruits of scholarly research’ and urged “the University to advance new models for scholarly publishing that will promote open access’ and urged Columbia faculty “to play a part in these open-access endeavors in their various capacities as authors, readers, editors, referees, and members of scientific boards and learned associations etc., (a) by encouraging and collaborating with publishers’ efforts to advance open access, (b) by retaining intellectual property rights in their own work where this will help it become more widely available, and (c) by remaining alert to efforts by publishers to impose barriers on access to the fruits of scholarly research.”
- Also see the web site on the problem and solutions created by the Columbia Health Sciences Library.

- Other institutions contemplating action (alphabetical order)
  - Georgia State University: See Beth Flanningan, Libraries join fight for greater research access, Georgia State University Villager, March 23, 2004.
  - Johns Hopkins University: See the public letter from Winston Tabb, Dean of University Libraries, in the Spring 2004 issue of Science @ C-Level.
  - San Jose State University: See Claudia Plascencia, Academic journals to be sacrificed in library cuts, San Jose State University Spartan Daily, March 24, 2004.
  - University of Oregon: See Chuck Slothower, University Libraries to cut several serial subscriptions, Oregon Daily Emerald, February 21, 2004. A plan to cancel more than 300 titles in May, and a call for faculty input on the titles to be cut.

What you can do to help the cause of open access

- Overview of contents:
  - Universities
    - Faculty
    - Librarians
    - Administrators
    - Students
    - Other
  - Journals and publishers
Foundations
Learned societies
Governments
Citizens

My list of what you can do to promote open access used to be located here. But over the years it grew too large to be a sub-list in a larger list of lists. On March 7, 2005, I gave it a page of its own. Please update the links and bookmarks that brought you here.

Lists maintained by others

- Developing Nations Initiatives. Maintained by Ann Okerson. See the similar list maintained by ALPSP.
- Directory of Open Access Journals (DOAJ). Maintained by the Lund University Libraries. The DOAJ is limited to peer-reviewed journals. For OA journals that may or may not be peer-reviewed, the best lists are Genamics JournalSeek and Yahoo's Free Full Text.
- Foundations willing to pay processing fees charged by OA journals. Maintained by BioMed Central.
- OAI Service Providers. Maintained by the Open Archives Initiative. (For OAI data providers, see my list of lists above.)
- Professional associations in the information sciences. Maintained by the School of Library and Information Science at San Jose State University.
- Publisher mergers and acquisitions. Maintained by Mary Munroe for the Association of Research Libraries (ARL) and the Information Access Alliance (IAA).
- Publisher policies on copyright and self-archiving. Maintained by Project SHERPA. See the Eprints journal-level supplement to SHERPA's publisher-level data. Also see the Journal Policy Database maintained by the University of Cincinnati.
- Publisher policies on inter-library loan of electronic content. Maintained by the Interlibrary Loan Project at the Yale University Library.
- Software for managing journals and repositories. Maintained by SPARC.
- University policies on copyright and related issues. Maintained by the Johns Hopkins University Scholarly Communications Group.

Return to the Newsletter

Return to the Blog.

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Beginning May 2, 2005, if your research is funded by the U.S. National Institutes of Health (NIH), you are asked to deposit any resulting journal publications in PubMed Central. PubMed Central (PMC) is the NIH's free digital archive of biomedical and life sciences journal literature. This development is a result of the NIH Public Access Policy.

Key points of the NIH policy:
- Applies to any journal articles resulting from research supported in whole or in part with direct funds from NIH
- NIH requests authors to deposit an electronic version of their final manuscript upon acceptance for publication
- A manuscript is defined as the final version accepted for journal publication and includes all modifications from the publishing peer-review process
- Does not mandate how and where to publish research articles

To follow the NIH's request for deposit, you will have to take the following steps:

1. Specify (if necessary) in the publisher's copyright transfer agreement or comparable document that you retain the right to make the article available in PubMed Central. NIH suggests inserting the following language on the publisher's form:
   *Journal acknowledges that Author retains the right to provide a copy of the final manuscript to NIH upon acceptance for Journal publication or thereafter, for public archiving in PubMed Central as soon as possible after publication by Journal.*

2. Deposit in PMC the manuscript plus any supporting files and indicate the desired public release date. NIH will provide a secure website for depositing the manuscripts and information. More details about the submission process are available at this site.

What are the benefits?
- Ensure the permanent preservation of vital NIH research findings
- Make published results of NIH-funded research more readily accessible to the public, health care providers, educators, and scientists

For further information
- NIH Public Access Policy Q & A
- A comprehensive guide to the NIH Policy from SPARC, the Scholarly Publishing and Academic Resources Coalition