COMMITTEE ON FACULTY WELFARE
Kenneth Drasner, MD., Chair

Annual Report 2005-2006

The Committee on Faculty Welfare enjoyed a productive year during which it met five times. The Committee was represented at the Systemwide Faculty Welfare Committee by Robert Newcomer, PhD. The major issues reviewed and acted on by the Committee during 2005-2006 are summarized in this report as follows:

- UC Retirement System
- Campus Life Services - Child Care for University of California Students and Faculty
- Campus Life Services - Transportation
- UC Retirement System
- Electronic Communications/Security
- Special Committee on Scholarly Communications White Papers
- UCSF CORO Foundation Leadership Program

UCFS Report – R Newcomer

Robert Newcomer presented reports on the following issues:
- Pension and Retiree Health Plans
- Senior Management Salaries
- Family Friendly Policies

UC Retirement: The firm of Deloitte and Touche LLP will present design ideas and retirement option material to the UC Regents in a closed meeting of the subcommittee, the Health Task Force. The results of will be disseminated to staff and faculty at a future date.

The Committee discussed the University's Retirement System and faculty and staff contribution beginning in 2007. In 2007 a slight increase (to 3%) of the mandatory contributions that faculty and staff now pay into their DCP (Defined Contribution Plan) account will, instead, be paid into the UC Retirement System. It is unclear how much, if any, the University will pay to match employee contributions. At some point, the amount that faculty and staff will be asked to contribute may increase to as much as 8%. Currently, UCRS pension funds do not cover the cost of health benefits for retirees. Health benefits are paid for through operating costs from the OP general budget, for which there is no set aside. Discussion focused on the effects on health, drug, dental and vision coverage.

Senior Management Salaries: The main issue has been the “slotting” proposals put forward by UCOP. UCFW has opposed this strategy and has asked to have the University appoint a Senate task force to with UCOP and the Regents to consider options.
Family Friendly Policies: The issue of maternity leave brought up the disparities between quarter and semester campuses. The issue has not been resolved. The most important of these is that most of the rules relative to maternity leave apply mainly to teaching time with clinical programs apparently unwilling to grant comparable leave. Those on research grants similarly do not have access to extended leaves.

Child care, even with the opening of a new center on the Kirkham locations, leaves many of the faculty, staff, and students with out available day care. UCSF will request information from each division on how the child care centers are managed and the price structure.

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**UC Retirement System**

Considerable time was spent on the discussion of employee contributions to retirement and the effect it will have on future investments, retirement and salary. Faculty and staff will be required to again begin to pay into the University of California Retirement System (UCRS) in order to maintain the fund at a secure level. Due to prudent management and good market performance of the UC Retirement Plan’s investments for many years, a large surplus of assets accrued in the pension fund, and that surplus enabled the support of ongoing costs of the plan, without contributions by existing faculty and staff for many years. As a result, no employee or employer contributions have been made to the UCRP since the early 1990's. Contributions were initially expected to begin in 2007 with diversion of funds currently, being paid into employee’s Defined Contribution Plan (DCP) Accounts. However, to date, there has been no decision made regarding the timing or structure of employer and employee contributions, raising doubt that contributions will actually begin in 2007. The percent of contributions into the UCRS is anticipated to range from a beginning rate of 3% to a potential total of 8% by 2111. The subject of matching funds by the University is under discussion. (Appendix 1)

Substantial discussion also focused on the current and future status of retiree health benefits (Appendix 7). Unlike retirement pensions, health benefits are neither guaranteed nor pre-funded. This issue has become more prominent due to rising health care costs and the expanding pool of retirees, as baby boomers leave the workforce. Additionally, recent changes in accounting standards will require the University to quantify the unfunded liability associated with retiree health benefits, which can reflect on its financial health as viewed by rating agencies and bond investors. There are several paths the University may take to deal with this unfunded liability, and the approach it chooses may have considerable impact on the future of retiree health.

Carol Broderick, Principal Coordinator from the University’s Human Resources Benefits and Financial Planning department attends the Committee as a permanent guest. She presented the Committee with a table of UCSF employer contribution rates for staff benefits (Appendix 2) and a draft of the pre-retirement planning offerings reflecting collaborative discussions among system-wide benefits managers. (Appendix 3)

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**Campus Life Services - Child Care for University of California Students and Faculty**

Robert Frank, Director of Child Care Services presented a program on the changes to child care available to students, faculty, and staff. There is an obvious need for child care and current enrollment numbers show that there is a shortage of available resources within the UCSF campuses. Currently, up to 48 children, ages two through five, are cared for at the Marilyn Reed Lucia Child Care Study Center on the Parnassus Campus while the University Child Care Center at Laurel Heights cares for approximately 110 children, ages three-months to five years. The Mission Bay Children’s Center, which opened in May, 2006, currently serves
more than 80 infants and toddlers. The waiting lists at the facilities range from 115 at Laurel Heights to over 871 at the Parnassus Campus. Mission Bay’s new facility has a wait list of 235. At current capacity, UCSF parents make up a large portion of the over 1200 employees waiting for the opportunity to obtain child care at a UCSF facility. (Appendix 4)

Plans for constructing a new child care center are underway. The university has purchased land adjacent to the Dental Building on Kirkham and plans to open a facility in fall 2007. An architect’s model of the facility was presented at the committee meeting. This new facility will be able to accept 80 children ages 2-5 years old. The Marilyn Reed Lucia center will be converted to an infant and toddler facility.

**Campus Life Services - Transportation**

In May, 2006, the Department of Parking and Transportation made significant changes to the inter-campus shuttle system. The shuttle system was established to transport UCSF faculty, staff, students, patients and visitors between primary campus sites. In an attempt to streamline the shuttle process, the decision was made to reroute shuttles by creating longer and fewer runs between campuses, resulting in significant delays and long waiting periods for shuttles during the non-commute time (9:00 a.m. to 3:30 p.m.) between the Parnassus Campus and Mission Bay. After much feedback, the transportation department has begun plans for additional service between these two campuses.

Faculty members voiced their disapproval when the shuttle stop at 16th and Mission was discontinued. Many people who moved to the Mission Bay campus relocated with this service playing an important role in their commute. This shuttle stop was also a Bart/Muni transfer point for many UCSF employees. There has been no move to reestablish this stop on the current Parnassus/Mission Bay shuttle, and it is anticipated that this issue will be re-addressed this upcoming year by this committee.

**Electronic Communications/Security**

At the request of Committee members, Carl Tianen, Enterprise Information Security Officer at UCSF presented information regarding the multi-layered e-mail system currently used by our campuses. The concern of the Committee was its ability to send and receive secure e-mail. Support and maintenance to campus computing resources for departmental faculty and staff was discussed, as well as the security of departmental servers, desktops and Local Area Networks (LANs) used by departmental faculty and staff in accordance with IT Governance policies and ITS / Enterprise Information Security (EIS) guidelines. The Committee was instructed on the procedure of securing e-mail by typing #secure: in the subject line. Another major issue discussed was the volume of spam/junk email received by employees daily. On a routine day, an employee might receive up to 100 questionable e-mails, each with the possibility of containing a virus that could potentially destroy years of research. The EIS assured the committee that everything possible is being done to safeguard UCSF local area networks.

**Special Committee on Scholarly Communications White Papers**

All UC libraries are faced with sustaining the current levels of scholarly communications and journals, despite falling University budgets and rising costs of both paper and electronic publications. In order to address these concerns, the Academic Council established a Special Committee on Scholarly Communication (SCSC) to determine what role the faculty should take in addressing these issues. In February, 2006, all committees of the San Francisco Division were asked to review and provide comments and recommendations related to the draft White Papers responding to the challenges facing scholarly
communications and proposed policy on scholarly work copyrights (SCSC - White Papers). (Appendix 5)

Members of the Committee on Faculty Welfare were primarily concerned about having to negotiate their copyrights with each publisher and the possible negative effects of publishing in less known electronic journal might have on their promotion.

Following receipt of responses from UCSF Divisional Committees and Faculty Councils, the Division’s response was communicated to the Academic Council for consideration. (Appendix 6)

UCSF CORO Foundation Leadership Program

UCSF has launched a leadership program that is being conducted by the CORO Foundation sponsored by the Executive Vice Chancellor’s Office of Academic Affairs. This faculty leadership development program is in response to a survey that found a need for more opportunities to support and advance faculty careers, focusing on learning to be an effective leader. The program is designed for UCSF faculty who want to build community as well as their personal and professional development skills, awareness and knowledge. The foundation provides experiential training to groups of diverse leaders at UCSF who are at different states of their professional development. Initiated in January, 2006, this program has been patterned after Harvard University’s leadership program.


- Monitor UC Retirement System Payment by Employees and University
- Monitor how cost will be covered for UC Health Plan Coverage for Retirees (UCRP)
- Transportation – Shuttle Services. Monitor new routes.
- Campus Security.

Respectfully Submitted,

Committee on Faculty Welfare, Kenneth Drasner, MD, Chair
Candy Tsourounis, PharmD, Vice Chair
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Richard Jacobs, MD, PhD
Teresa Juarbe, RN, PhD
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Appendices

Appendix 1: Retirement Documents
Appendix 2: UCSF Employer Contribution
Appendix 3: Pre-retirement Planning Offerings
Appendix 4: UCSF Enrollment Summary – Child Care
Appendix 5: SCSC Draft White Papers
Appendix 6: UCSF Division Response to the White Papers
Appendix 7: Retiree Health
In March, the UC Regents decided that contributions need to be made to the UC Retirement Plan for the first time since the early 1990s. This will keep the UCRP financially stable for the future and from facing some of problems many other public pension funds are currently experiencing. While there are still many important decisions that need to be made by the Regents, below are some important facts regarding the future of the UCRP.

- UC and our employees will both contribute to the UCRP.

- The amount of shared contributions has not yet been decided.

- UC is not planning to cut pay by 8% to pay for UCRP contributions.

- UCRP contributions will begin small and increase gradually over years for both UC and employees.

- UC will continue to provide competitive salary and benefits packages to all employees.

The latest information regarding UCRP can be found at UC’s Web site “The Future of the UCRP” which can be found at: http://atyourservice.ucop.edu/.
Q. Given the Regents' decision in March to reintroduce contributions to the UCRP - does that mean that in 2007 I'll have to contribute 16% of my pay to fund the retirement plan?

A: No. The Regents decided that there should be a multi-year contribution strategy under which contribution rates will increase gradually over time to 16%, which is the normal cost of UCRP. The level of contributions and how the normal cost will be shared between the University and employees is still to be decided.

Q. When employee contributions start, will the money that now goes from my paycheck into the DC plan go to UCRP instead?

A. We expect that, as a first step, UC may re-direct these DC Plan contributions to the UCRP. At this time we do not know exactly when contributions will begin or exactly how much they will be for the University or the employees. These decisions will be made by the Regents when they consider the schedule for restarting contributions. The reinstatement of contributions also depends on the budget process and the collective bargaining process for represented employees.

Q. Why are the Regents targeting July 2007 as the date for reinstatement of contributions, when the plan isn’t projected to dip below 100% funding until 2009?

A. The intent is to phase in contributions gradually, so the financial impact on employees and the University is minimized. If the Regents wait until 2009 when the plan is projected to dip below 100% funding, a much higher level of contributions would be required.

SECURITY OF THE UCRP

Q. Is there any danger that UC will not be able to pay me the retirement benefits that I’ve earned?

A. There have been many news stories about pension plans around the country that have not been able to sustain the benefits promised to their employees. UC is dedicated to ensuring that all UC retirees – present and future – are able to receive the vested retirement benefits that they earn while at the University. This is why UC takes prudent measures to ensure full funding of the UCRP.

IMPACT ON CURRENT RETIREES

Q. What about retirees who are already receiving a pension benefit from UCRP? Will their pension be reduced?

A. No. The planned changes will have no affect on the pensions of those who are already retired.

Q. When contributions are reintroduced for the UCRP, will retirees have to contribute?

A. No. Contributions will be required only of active employees who are members of the UCRP.

DECISION-MAKING PROCESS

Q. Who has final authority to make decisions on the retirement plan?

A. The UC Regents, as plan trustees, have final authority to make decision regarding the UC Retirement Plan.
Manager Speaking Points on UCRP  
Updated: May 15, 2006

Below are talking points for you to address many of the false claims and other misinformation employees have heard regarding the UC Retirement Plan. For more complete information regarding the future of the UCRP, direct employees to the special Web site dedicated to this issue: http://www.universityofcalifornia.edu/news/ucrpfuture/welcome.html

"UC is going to impose an 8% (or even 16%) employee contribution to the UCRP."
- Both the University and employees will make contributions to the pension plan.
- There have been no decisions as to how much UC and employees will be expected to contribute.
- The 16% - that is the total "normal cost" to be paid by UC and employees combined.
- The Regents intend to very slowly ramp up contribution rates to limit the impact on employees.
- The ultimate decision is subject to available funding and collective bargaining.

"UC is going to cut my pay to fund the UCRP."
- UC is not planning any pay cuts, although UC employees will be expected to contribute to the UCRP.
- In fact, the compact with the Governor calls for UC employees systemwide to receive regular salary increases for the next several years
- The Regents are committed to providing competitive total compensation (cash salaries, health benefits, retirement benefits) to all employees at all levels at the University, as stated in their November resolution (RE-61).

"UC plans to impose contributions to the UCRP without negotiating with the unions."
- This is absolutely a false claim.
- UC will bargain the restart of contributions with unions representing all represented employees.
- UC has already met informally with many union leaders, including those from AFSCME, CNA, UPTE, and CUE on this issue.
- UC is also meeting regularly with faculty, retirees and other staff constituent groups regarding contributions and to gain their input.

"UC squandered the surplus in the UCRP with mismanagement."
- The surplus has been used to pay current pension benefits without requiring contributions from UC or employees.
- The "contribution holiday" that UC has experienced for over 16 years is due in large part to the careful and prudent management of the UCRP funds.
- The surplus has remained even through some tough economic downturns with a declining stock market.
- UC hires an independent firm to perform an evaluation of the UCRP every year to ensure it is being managed appropriately.

"UC wants to create a 'two-tier' retirement plan or replace the pension with a 401K plan."
- The Regents’ first priority is to keep the UCRP fully funded by restarting contributions.
- In the future the Regents may consider making other choices available to employees.

"UC will offer some kind of early retirement incentive so I should postpone my planned retirement to see what kind of deal I can get."
- There are no such plans to offer an early retirement incentive program; this type of program would substantially impact the funded status of UCRP.

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To keep the UC Retirement Plan healthy for the future, contributions will once again be necessary from both the University and UC employees. The Regents will decide when contributions will start and how much UC and employees will contribute. Here are some important facts to clear up some of the rumors you might have heard about the UCRP.

Claim: “UC is going to cut my pay 8% to fund the UCRP.”
**ANSWER:** UC has no plans to implement “pay cuts.” In fact, the compact with the Governor calls for UC employees to receive salary increases over the next several years. Neither UC nor employees have contributed to the UC Retirement Plan for 16 years. So far, there have been no decisions as to how much UC or employees will be asked to contribute.

Claim: “UC squandered the surplus in the UCRP with mismanagement.”
**ANSWER:** This is a false statement. The UCRP has been very well managed, even through major national economic downturns. The careful management of the UCRP is the main reason why no contributions have been necessary for 16 years.

Claim: “UC plans to impose contributions to the UCRP without negotiating with the unions.”
**ANSWER:** This is absolutely a false claim. UC will bargain the restart of contributions with unions for all represented employees. UC has already met informally with AFSCME, CNA, UPTE, and CUE on this issue.

Claim: “UC wants to create a ‘two-tier’ retirement plan or replace the pension with a 401(k) plan.”
**ANSWER:** Right now, the Regents are discussing options for keeping the UCRP healthy through contributions. In the future the Regents may consider making other choices available to employees.

Claim: “UC will offer some kind of early retirement incentive.”
**ANSWER:** There are no such plans to offer an early retirement incentive program: this type of program would have substantial negative impact the funded status of UCRP.

The latest information regarding UCRP can be found at UC’s Web site “The Future of the UCRP” which can be found at: [http://atyourservice.ucop.edu/](http://atyourservice.ucop.edu/).
Information about the UC Retirement Plan

Retirement benefits are an important part of the overall compensation for UC employees, and part of the University’s ongoing efforts to ensure the long-term sustainability of its employee benefits. Every year, an outside agency conducts an assessment of the UC Retirement Plan (UCRP) to measure its financial status and recommend an appropriate level of contributions to the pension fund to ensure its solvency for the upcoming year. This assessment, called an “actuarial valuation,” compares the amount of money in the pension fund (“assets”) to the amount of its retirement benefits payment obligations (“liabilities”) to determine its “funded status.” In addition, this year the outside agency also looked at employee demographics and other factors in order to forecast the potential direction of the plan’s funded status in the years ahead.

15-year contribution holiday to end within next several years

Thanks to prudent management and good market performance of the UC Retirement Plan’s investments for many years, a large surplus of assets accrued in the pension fund. The Regents chose to use this surplus to fund the ongoing annual costs of UCRP, in lieu of requiring contributions. As a result, no employee or employer contributions have been necessary since 1990 (the “contribution holiday”). The current actuarial valuation shows that the retirement plan currently remains overfunded (with assets exceeding liabilities), meaning no contributions will be necessary for the 2006 calendar year.

At the same time, however, a byproduct of using surplus assets to fund the annual ongoing costs of UCRP is that the surplus will erode. And, in fact, recent valuations indicate that this level of surplus has been steadily declining, thus contributions will need to be reinstated within the next few years to ensure the plan remains 100% funded.

Efforts to ensure long-term sustainability of benefits and competitive compensation

UC’s ability to attract and retain the caliber of personnel required to maintain institutional excellence hinges on the market-competitiveness of its compensation and benefits. To help ensure that the University can provide competitive total compensation to faculty and staff in a strategic and financially prudent way, the UC Regents will consider strategies for the reinstatement of employer and employee contributions to the retirement plan and potential retirement plan design changes for future employees, as well as potential design and eligibility changes for retiree health insurance. The Regents’ finance committee and the full board are expected to hear recommendations and take action on this issue in 2006.

For represented employees, the changes being contemplated will be subject to collective bargaining with their respective union.
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>88.50</td>
<td>177.00</td>
</tr>
</tbody>
</table>

*Retiree Net Cost and Part B reimbursement, if any, is based on Retiree being eligible for 100% of UC's Contribution. Folks that entered UCRP on/after Jan 1, 1990, are subject to graduated eligibility (GE) - see GE Chart, http://www.ucop.edu/atyourservice/employees/eligibility/grad_elig_chart.html.

**Family (1) = Split Medicare family with at least one Non-Medicare Adult

***Family (2) = Split Medicare family with two Medicare Adults plus Child(ren)
## UCSF Employer Contribution Rates for Staff Benefits

**Appearing in the Distribution of Payroll Expense Report**

**July 2005**

<table>
<thead>
<tr>
<th>Staff Benefits - Computed as a Rate Per $100 of Payroll *</th>
<th>Current Rate</th>
<th>Effective Rate</th>
<th>Old Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>UCRS – Regular and Coordinated with FICA</td>
<td>.00</td>
<td>11/90</td>
<td>4.03</td>
</tr>
<tr>
<td>UCRS - Safety</td>
<td>.00</td>
<td>11/90</td>
<td>3.77</td>
</tr>
<tr>
<td>Public Employees’ Retirement System</td>
<td>15.942</td>
<td>7/05</td>
<td>17.022</td>
</tr>
<tr>
<td>Unemployment Insurance - General Funds</td>
<td>.10</td>
<td>7/88</td>
<td>.10</td>
</tr>
<tr>
<td>Unemployment Insurance - Federal Funds</td>
<td>.10</td>
<td>7/89</td>
<td>.18</td>
</tr>
<tr>
<td>Unemployment Insurance - Hospital Funds</td>
<td>.10</td>
<td>7/89</td>
<td>.14</td>
</tr>
<tr>
<td>Unemployment Insurance - Other Funds</td>
<td>.30</td>
<td>7/93</td>
<td>.10</td>
</tr>
<tr>
<td>Workers’ Compensation – General Funds</td>
<td>.82</td>
<td>7/05</td>
<td>.88</td>
</tr>
<tr>
<td>Workers’ Compensation – Medical Center</td>
<td>3.94</td>
<td>7/05</td>
<td>3.33</td>
</tr>
<tr>
<td>Workers’ Compensation – LPPI</td>
<td>2.73</td>
<td>7/05</td>
<td>3.45</td>
</tr>
<tr>
<td>Workers’ Compensation – Other Funds</td>
<td>.82</td>
<td>7/05</td>
<td>.88</td>
</tr>
<tr>
<td>Employee Support - Rate Additive - All Funds</td>
<td>.27</td>
<td>7/04</td>
<td>.26</td>
</tr>
<tr>
<td>OPEB (Other Postemployment Benefits)</td>
<td>2.55</td>
<td>7/05</td>
<td>****</td>
</tr>
<tr>
<td>Benefits Administration Rate</td>
<td>.13</td>
<td>7/05</td>
<td>****</td>
</tr>
<tr>
<td>Incentive Award Program</td>
<td>.50</td>
<td>10/00</td>
<td>1.294</td>
</tr>
<tr>
<td>GAEL Assessment Rate***</td>
<td>.28</td>
<td>7/05</td>
<td>.33</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Benefits - Computed as a Straight Percentage of Payroll *</th>
<th>Current Rate</th>
<th>Effective Rate</th>
<th>Old Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>OASDI ** (Employee/Employer)</td>
<td>6.20</td>
<td>1/91</td>
<td>---</td>
</tr>
<tr>
<td>Medicare Tax ** (Employee/Employer)</td>
<td>1.45</td>
<td>4/86</td>
<td>---</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Benefit - Dollar Amount Per Person</th>
<th>Current Rate</th>
<th>Effective Rate</th>
<th>Old Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Life Insurance – Employer</td>
<td>4.82</td>
<td>1/96</td>
<td>5.38</td>
</tr>
<tr>
<td>UC Disability Insurance – Employer</td>
<td>6.13</td>
<td>1/00</td>
<td>7.21</td>
</tr>
<tr>
<td>Health Insurance Contribution – Single</td>
<td>See</td>
<td>1/05</td>
<td>Refer</td>
</tr>
<tr>
<td>Health Insurance Contribution – Adult &amp; Child(ren) Attached</td>
<td>1/05</td>
<td>to</td>
<td></td>
</tr>
<tr>
<td>Health Insurance Contribution - Two Adults</td>
<td>Chart</td>
<td>2004</td>
<td></td>
</tr>
<tr>
<td>Health Insurance Contribution - Family</td>
<td>Chart</td>
<td>1/05</td>
<td></td>
</tr>
<tr>
<td>Dental Insurance Contribution - Single Party</td>
<td>See</td>
<td>Refer</td>
<td></td>
</tr>
<tr>
<td>Dental Insurance Contribution – Adult &amp; Child(ren) Attached</td>
<td>1/05</td>
<td>to</td>
<td></td>
</tr>
<tr>
<td>Dental Insurance Contribution – Two Adults</td>
<td>Attached</td>
<td>2004</td>
<td></td>
</tr>
<tr>
<td>Dental Insurance Contribution - Family</td>
<td>Chart</td>
<td>1/05</td>
<td></td>
</tr>
<tr>
<td>Vision Insurance Contribution - All</td>
<td>13.47</td>
<td>1/04</td>
<td>12.11</td>
</tr>
<tr>
<td>CORE $5,000 Life Insurance</td>
<td>.47</td>
<td>1/96</td>
<td>.52</td>
</tr>
</tbody>
</table>

* Vacation Leave Transfers (VLT) between UCSF units are subject to employer contribution rates computed as a rate or percentage of payroll.

** Effective January 1, 2005, the OASDI is calculated on calendar year gross earnings up to $90,000.00; there is no cap on Medicare covered wages.

*** The GAEL assessment is charged directly to the General Ledger; it is not reflected in the Distribution of Payroll Expense.

**** Formerly referred to as Health/Dental/Vision Assessment Retires. The previous combined rate for these items was $2.35.
Items 1 thru 3 are relevant to our employees. Do take a bow for the decrease in the workers comp assessment.

Have a good evening.

--Cheryl

From: "Gabe Nwandu" <gabe.nwandu@ucr.edu>
To: <PPS-NEWS@lists.ucr.edu>
Date: Wed, 10 Aug 2005 16:49:53 -0700
Sender: pps-news-bounces@lists.ucr.edu

August 10, 2005

TO: All Departments
FR: Payroll Office
RE: Benefit Rates Table (R 07/05)

The following benefit rates have changed effective with July 2005 earnings. Old rates are in parenthesis. Percentage based benefits are calculated based on the monthly gross payroll.

1. Workers Compensation Insurance
   All Funds - 1.86% (2.13%) - decrease of 12.68%

2. Other Post Employment Benefits (OPEB) - formerly Annuitant Health Insurance
   All Funds - 2.55% (2.35%) - increase of 8.51%

3. Benefits Administration Assessment Rate
   All Funds - 0.13% (0.00%) - increase of 100%

4. Public Employees Retirement System (PERS)
   All Funds - 15.942% (17.022%) - decrease of 6.35%

5. Graduate Student Health Insurance (GSHIP) per QTR (effective fall QTR)
   All Funds - $518.00 ($520.50) - decrease of 0.48%

6. Graduate Student Fee Remission-Residents (GSFR) per QTR (effective fall QTR)
   All Funds - $2299.00 ($2090.00) - increase of 10.00%

7. Graduate Student Fee Remission-Non-Residents (GSFR) per QTR (effective fall QTR)
   All Funds - $2388.00 ($2172.00) - increase of 9.94%

8. Graduate Student Tuition Remission (GSTR) per QTR (effective fall QTR)
   All Funds - $4898.00 ($4898.00) - no change

For a complete list of all the benefit rates, please logon to our website:

Thank You.

------------------------------------------------------
Gabe Nwandu, MBA, CPA.
Director - Payroll, Travel and Disbursements

8/11/2005
DRAFT---PRE-RETIREMENT PLANNING OFFERINGS

Preface: TBD...phrases something like..."In response to the growing demand for information on retirement planning...a population in which over 50% will be retirement-eligible in the next 5 years, ...and drawing from a variety of topics currently being delivered at various locations, the following proposal reflects collaborative discussions among systemwide benefits managers pertaining to the design of a core pre-retirement planning curriculum that will be consistent at all locations subject to having adequate resources and support from the Office of the President. Please see attached pages detailing what is currently being offered now, and outlining content highlights for each module being suggested. Note: Some locations already have pre-retirement planning programs offered through other offices such as UC Berkeley’s Retirement Center. In these situations, all offices involved should work in concert for the overall benefit of the campus.

CORE MODULES
Description:
* Directly or indirectly related to UC-sponsored plans
  * Modules 1 and 2 already offered at most locations; modules 3 and 4 readily available
  * Expertise is in-house or can be provided by representatives from Social Security and FITSCo
    * Reflects “most-asked” customer inquiries
  * Subject-matter is consistent across locations allowing for OP support and close collaboration
  * If not currently being delivered, development is complete or is achievable within shortest timeframe
  * Delivery by in-person speakers; i.e., not dependent on development of alternative delivery system

<table>
<thead>
<tr>
<th>MODULES 1 and 2</th>
<th>MODULES 3 AND 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>by in-house staff experts</td>
<td>by outside representatives</td>
</tr>
<tr>
<td>UCRP retirement</td>
<td>Social Security</td>
</tr>
<tr>
<td>- UC retirement counselor</td>
<td>- Social Security Representative</td>
</tr>
<tr>
<td>UC Health Plans and Medicare</td>
<td>UC-Sponsored Savings Program</td>
</tr>
<tr>
<td>- Health Care Facilitator</td>
<td>- FITSCo Representative</td>
</tr>
</tbody>
</table>

AUXILIARY MODULES
Description:
* Subject-matter pertains to retirement planning but is not directly related to UC-sponsored plans
* Dependent on outside resources and speakers, would vary by location unless supported centrally
* Partnering with other offices would enhance success (Retirement Centers, UCOP, FITSCo, etc.)
  * Delivery vehicles more variable (speakers, web-based, booklets, e-learning, etc.)
* Significantly more coordination and development required; additional staff resources needed

FINANCIAL PLANNING
Planning Your Future
Risk Management
Investment Principles
Retirement Planning
Tax and Estate Planning

TRANSITIONING TO RETIREMENT
From Mike’s list
Add:
Housing in retirement
Second careers
Life learning
Travel and recreation
Other...many possibilities!
Specialty?? (caring for adult disabled children; divorce or remarriage after retirement, etc.)
### University of California
**President's Matching Childcare Funds**

#### Approval Status

<table>
<thead>
<tr>
<th>Campus</th>
<th>Project Approved (PWC)</th>
<th>Preliminary Submittal</th>
<th>Capacity</th>
<th>President's Funds</th>
<th>Matching Funds</th>
<th>Total Project Cost</th>
<th>Current status of approved projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Berkeley</td>
<td>Apr. 20, 2005</td>
<td>Feb. 2002</td>
<td>Infant-Toddler: 42, Preschooler: 36</td>
<td>$1,000,000</td>
<td>$5,260,000</td>
<td>$6,260,000</td>
<td>As of Dec. 05 - project under construction</td>
</tr>
<tr>
<td>Davis</td>
<td>Jun. 28, 2004</td>
<td>Aug. 2002</td>
<td>Infant-Toddler: 41, Preschooler: 54</td>
<td>$1,000,000</td>
<td>$1,829,000</td>
<td>$2,829,000</td>
<td>Construction to begin in January 2006</td>
</tr>
<tr>
<td>Irvine</td>
<td>Apr. 29, 2003</td>
<td>May 2002</td>
<td>Infant-Toddler: 42, Preschooler: 100</td>
<td>$1,000,000</td>
<td>$687,000</td>
<td>$1,687,000</td>
<td>Campus re-designing</td>
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<tr>
<td>Los Angeles</td>
<td>Nov. 6, 2003</td>
<td>Aug. 2002</td>
<td>Infant-Toddler: 125 to 150, Preschooler:</td>
<td>$1,250,000</td>
<td>$3,390,000</td>
<td>$4,640,000</td>
<td>As of Dec. 05 - project under construction</td>
</tr>
<tr>
<td>Merced</td>
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<td></td>
<td></td>
<td>Hold</td>
<td>Hold</td>
<td></td>
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<tr>
<td>Riverside</td>
<td></td>
<td></td>
<td></td>
<td>Hold</td>
<td>Hold</td>
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<td></td>
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<tr>
<td>San Francisco</td>
<td>Sep. 11, 2002</td>
<td>Feb. 2002</td>
<td>Infant-Toddler: 8 to 10, Preschooler: 64</td>
<td>$610,000</td>
<td>$805,000</td>
<td>$1,415,000</td>
<td>Construction to begin in January 2006</td>
</tr>
<tr>
<td>Santa Barbara</td>
<td>Jul. 22, 2002</td>
<td>Feb. 2002</td>
<td>Infant-Toddler: 48 to 56, Preschooler: 40</td>
<td>$750,000</td>
<td>$1,000,000</td>
<td>$1,750,000</td>
<td>As of Dec. 05 - project under construction</td>
</tr>
<tr>
<td>Santa Cruz</td>
<td>Aug. 2002</td>
<td></td>
<td>Infant-Toddler: 68, Preschooler:</td>
<td>Hold</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
January 13, 2006

DIVISION ACADEMIC SENATE CHAIRS
SYSTEM-WIDE COMMITTEE CHAIRS

RE: Special Committee on Scholarly Communication (SCSC) Draft White Papers—Responding to the Challenges Facing Scholarly Communications- 5 Papers and 1 Proposed Policy

Dear Division and System-wide Committee Chairs:

On behalf of the Academic Council please find attached the above document, which is being sent to you for review by your Division and Committees as appropriate.

At its December 14, 2005 meeting, the Academic Council discussed the SCSC white papers and the proposed policy on Scholarly Work Copyright Rights, with SCSC Chair Lawrence Pitts. Council agreed that the draft papers and proposed policy would be sent out for general Senate review and then eventually to the Assembly for its consideration.

In order to complete the review process in time to submit these papers and the policy to the May Assembly, it would be very much appreciated if you would submit your comments by the following dates:

- System-wide Committees: By no later than March 8, 2006
- Divisions: By no later than April 5, 2006

As a reminder, please note that all requests for comments are sent out to all System-wide Committees and Divisions. Each Committee and Division may decide whether or not to opinie. For System-wide Committee Chairs please notify this office either directly by emailing me or through your Committee Analyst, if your committee chooses not to participate in this review. For Division Chairs, please notify this office either directly by emailing me or through your Senate Director, if your Division chooses not to participate in this review.

Thank you for taking this matter under consideration.

Cordially,

Maria Bertero-Barceló, Executive Director
Academic Senate

Encl: 1
Copy: Academic Senate Committee Analysts
       Senate Directors
Responding to the Challenges Facing Scholarly Communication
Overview (December 22, 2005)

During University of California negotiations with publishers of scholarly works in 2004, it became clear to UC faculty that the current models of scholarly communication had become unsustainable. UC Librarians and budget officers had seen this crisis approaching for some years. But long as library budgets could be managed and access to the most critical work could be maintained, faculty members were largely insulated from the growing crisis. When it became clear, in the face of falling university budgets and rising costs of publications, that the UC community’s access to new knowledge would progressively be limited, and that the access by others to UC-produced scholarship would similarly be limited, the Academic Council (effectively the Executive Committee of the UC Academic Senate) established a Special Committee on Scholarly Communication (SCSC) to consider what role the faculty should take in addressing these important issues. The accompanying five short papers and appendices are the result of SCSC’s work. The papers define and explain the faculty’s view of changes that could improve dissemination of scholarly work to enhance the discovery and communication of new knowledge, and best serve the public interest.

The current model for many publications is that faculty write articles and books, referee them, edit them and then give them to a publisher with the assignment of copyright. The publisher then sells them back to the faculty and their universities, particularly to university research libraries. While there clearly are costs of publication, a number of publishers (particularly, but not always, for-profit corporations) earn munificent profits for their shareholders and owners. However, maximizing profits for these latter groups may work to the detriment of faculty, educational institutions and the public.

Meanwhile, opportunities to reduce production and distribution costs and to create innovative forms of publication and dissemination are increasingly manifest, and enabled by networked digital technologies, new business models, and new partnerships.

The papers explore this simultaneous challenge and opportunity from five starting points:

- One discusses copyright issues, and recommends that faculty authors adopt the practice of granting to publishers non-exclusive copyright of their research results, while retaining copyright for other educational purposes, including placing work in open access online repositories.

- Two consider recommended best practices, from a faculty viewpoint, for journal and book publishers respectively.

- One considers the role of scholarly societies in publishing, and recommends changes in some societies so that they may better support development and dissemination of scholarly work in their discipline, and at more economical cost.

- The final paper recognizes that technology has made and will continue to make available new methods of publishing and presenting new knowledge.

The University of California faculty recognizes that these changes must be carefully reviewed to ensure that the quality of presentation of scholarly research remains as high as or higher than in the past, principally by continued application of the well-established and tested process of peer-review. We feel that faculty, University administration, publishers and societies can work collaboratively not only to improve and sustain dissemination of scholarship, but can materially improve it using new technology.

It is the Academic Senate’s intention to work actively with the University of California Administration to press for and enact the changes outlined in these papers, and to encourage their wide adoption throughout the world, both by other faculties and universities, and by the publishers of our scholarly work.
**Discussion Statement**

The University of California Academic Senate recognizes and reaffirms the importance of a scholar's creation of new knowledge in fulfilling the faculty's role of education, research, and service. The process that a university faculty uses to make decisions about hiring, promotion and award of tenure relies heavily on scholarly works including publications. Historically, the quality of publications has been based in part on the quality of reviewers, presentation, and distribution, which features are well known for existing books and journals. As publications evolve with modern techniques of presenting scholarly works, these same features of quality must be continually evaluated and preserved.

Veterans of our academic personnel process feel the following statements are important in evaluating and maintaining the quality and accessibility of scholarly works that are used in assessing faculty performance:

1. The standard for evaluating scholarship is publication or presentation at peer reviewed, refereed outlets, as judged appropriate by faculty within each discipline. Publication need not necessarily be in print.

2. Publishers of new and established books and journals should provide the following in a readily-accessible form:
   a. Names and institutional affiliations of editors and referees
   b. Names and institutional affiliations of authors for the past two or more years
   c. Numbers of manuscript submissions and the acceptance rate for publication
   d. Copyright, open-access, and archival policies for the publication

3. Using available information including what publishers provide, it is the obligation of the evaluating department to assess the quality of the publication and the publication outlet. Evaluation of presentations of scholarly work (conferences, concerts, galleries, and so on) should include an explanation of the importance of the venue.

4. Economic factors make it increasingly difficult to publish books in the humanities and social sciences. The University should therefore consider offering subventions in start-up support for new faculty, particularly junior faculty, to publish books in peer-reviewed presses.

5. Academic personnel committees will consider new forms and modalities of scholarly communication as they become available and are validated through experience, as well as new forms of evaluating them.

**Background**

Central to the life of the University is evaluation of a faculty member's research. Large price increases for academic journals, and the unwillingness of many presses to publish books with limited circulation, force the University to ask whether the ways it had evaluated publications in the past (relying largely on publication in peer-reviewed, printed outlets) remain appropriate and realistic, and to ask how to evaluate work appearing in electronic media. A subcommittee of the Special Committee on Scholarly Communication (SCSC), consisting largely of faculty who had served on a campus and statewide personnel committee, reviewed the academic personnel policies of other universities and found few references to electronic publications. The State
University of New York at Buffalo requests in its "Promotion Dossier" a separate listing of "scholarly electronic publications with complete description of academic or professional nature and sponsorship of the electronic agency." Perhaps because electronic publication is new, most academic personnel policies do not mention them specifically. For example, MIT describes Research and Scholarship as "Contributions to scholarship resulting from research and study, including publication of books, articles, and reports" without reference to electronic publications or presentations.

In some fields scholarly activity is not judged by publication in journals or books. The performing arts (such as music or dance) offer one example. Nevertheless, evaluation can be rigorous. The factors that enter into academic review include the venues of performances (Carnegie Hall usually counts more than a presentation at a local community college), the content of published reviews, and the reputation of the reviewers (a review in the New York Times will likely count more than a local review). Computer scientists often publish in proceedings of refereed conferences. Some UC physics departments accept electronic journal articles for appointment and advancement cases; several view some papers published only electronically as equivalent to articles published in standard journals. Some departmental faculty give the Journal of High Energy Physics (JHEP) and the Journal of Cosmology and Astroparticle Physics (JCAP) equal weight to that of a traditional print journal, despite the Institute for Scientific Information's recent rating of JCAP as having the highest impact factor in the field. Furthermore, these electronic archives maintain a database of citations, allowing evaluation of a paper's impact.

Publication and presentation practices in different disciplines are likely to change over time, and academic personnel committees should regularly evaluate the merits of new practices.

**Forms Of Evaluation**

Review and evaluation of scholarly work should consist of at least two steps. First, the work should appear in a peer-reviewed outlet. Second, work should be evaluated after its appearance. Why the first step? It has the advantage that the venue and reviewers can be evaluated, for example, according to the quality of a journal, the standards of a journal editor, and the reputations of referees. In contrast, when we solicit a letter of recommendation, we know the academic quality of the writer, but we do not know what standards that person uses, or how the reviewer rates other people. Letters of reference are not substitutes for publication or presentation in outlets with readily knowable reputations. A gatekeeper for publication can also protect the University against weak departments or weak departmental selection or promotion procedures that might result in a narrow selection of external referees, and inappropriately finding the few, perhaps a small minority, who think highly of a candidate's work.

Evaluation of the work and its impact after it appears is an important second function, performed by academic personnel committees with the help of other appropriate faculty. Acceptance by a prestigious venue pertains to a specific scholarly work. The committee should judge that work as part of the whole body of material, not abrogating or transferring its judgment to an external entity, such as a journal editor. The academic personnel committee also has the opportunity and experience, more than do ad hoc departmental hiring or tenure committees, to judge work broadly across disciplines thereby helping promote and ensure excellence across schools and campuses.

The University should welcome publication in electronic or other new media where appropriate, but faculty members and departments have a responsibility to explain the distinction of those venues in comparison with more established ones. Electronic publishing can provide several advantages, including quicker access to new information, web links, 3-dimensional graphing, and storage of data sets. But as we emphasize above, the quality of new methods or venues of presentation needs to be determined by carefully scrutinized peer review.

The evaluation of a new or established publication venue can include a number of factors. ISI publishes citations for over 8,700 international journals, and discusses the criteria it uses in selecting ten to twelve percent of the nearly 2,000 new journal titles it reviews annually. (See
"The ISI Database: The Journal Selection Process"). These criteria include the journal's basic publishing standards, its editorial content, the international diversity of its authorship, the timeliness of publication, and citation data associated with it. Other important features of a publication's quality are the credentials of its editorial board and peer reviewers, the reputation of other authors, the quality of work published, and articles cited. Electronic venues may offer new measures of a scholarship's utility, such as frequency of viewing and querying new work. In the end, departments, deans, and the faculty members themselves have the responsibility to explain how they regard a particular venue's quality and why, for both new and already established venues.

Conclusion

New ways of presenting and disseminating scholarly work are inevitable, but they must be attended by scrupulous protection of the quality of scholarship and extend successful practices in evaluating that quality. We offer the discussion and specific suggestions above to assist the UC and other university communities in their role of protecting and evaluating scholarship even as forms for its presentation evolve.

ADDENDUM TO THE SUBCOMMITTEE REPORT

The SCSC appreciates and agrees with the statements above, drafted by a subcommittee comprising former Committee on Academic Personnel (CAP) members and chairs, and based on their extensive experience using current methods in the selection and promotion of an outstanding faculty at UC. SCSC absolutely agrees with UC's CAPs that the quality of work presented in new publication methods must be of the same or greater quality as current scholarly works.

However, we want to stress that in the immediate future, the University, its faculty, and its evaluation processes will increasingly encounter new forms of, and new media for, scholarly communication. Many faculty may fear that they will be penalized for publishing in new venues. The University will be disadvantaged if innovative forms and media of scholarly dissemination are discouraged for no other reason than that they are new. In the current system we believe that the academic personnel process at times may place excessive reliance on the reputation of the venue to the detriment of specific assessment of the work itself. As the variety of venues for scholarly publication widens, all participants in the review process should rededicate themselves to judicious assessment of all faculty research, in whatever venue, and to extend to innovative forms of publication the same careful evaluation of scholarship upon which the University has traditionally relied to assure the quality of its faculty.
The University of California
Academic Council’s Special Committee on Scholarly Communication

Responding to the Challenges Facing Scholarly Communication

The Case of Journal Publishing
(Approved for Systemwide Academic Senate Review by the Academic Council on December 14, 2005.)

Discussion Statement
Journal publishers are essential partners in the dissemination of knowledge. Both publishers and researchers want academic papers to have the widest possible circulation. The current system of journal publication, however, limits the dissemination of knowledge. Better systems can be developed to meet both the goals of academic research and the economic interests of journal publishers.

The Academic Senate calls upon – and seeks partnerships with – those who publish scholarly journals to:

1. Seek only the copyrights necessary for first publication;
2. Concentrate on adding value to, rather than ownership of, scholarship;
3. Pursue innovation to improve scholarly communication systems;
4. Avoid monopoly pricing;
5. Provide transparent financial information;
6. Enable ongoing access to the persistent scholarly record; and
7. Provide full information about peer review and copyright policies and processes. ¹

Background
Faculty of the University of California, and their academic colleagues worldwide, are growing increasingly concerned about the rising costs and declining circulation of journals. For decades the cost of scholarly materials has escalated at rates exceeding the consumer price index (CPI). From 1986 to 2003 the unit cost for scholarly journals rose 245% while the CPI rose 68%. Among the many factors behind this unsustainable trend, three are particularly problematic. First, the full transfer of copyright ownership to publishers gives them monopoly rights on this knowledge. Second, profit-maximizing publishers value revenue generation far above the spread of knowledge. Third, the bundled pricing of journals gives publishers undue power in their negotiation with universities. Rapidly rising subscription prices reduce academic access to research and severely handicap universities’ ability to maintain collections that support research, teaching, and the public interest. Escalating journal subscription prices are also limiting library acquisition of scholarly monographs, to the detriment of authors whose scholarship is best presented in longer publications than journal articles. As a result, the University, its faculty, and its libraries must continuously assess cost efficiency and effectiveness of scholarly materials as a factor in their selection.

It is essential for scholars, libraries and publishers to partner for the larger public good. By so doing, they can establish and reaffirm values and practices that lead to equitable, sustainable, and flexible scholarly journal publishing.

Ideal Journal Publishing Practices
The Academic Senate calls upon those who publish scholarly journals to:

1. Seek only first publication copyright. To add value and make an economic return, publishers do not need full transfer of copyright ownership, as is current practice. Most business needs can be met by securing an exclusive right of first commercial publication, with requests for other rights such as foreign distribution and reprinting, made when and as necessary. Authors and their institutions then retain and take advantage of other copyrights as needed for research, teaching, content management and continued influence.

¹ As suggested, for example, in the companion to this whitepaper titled Responding to the Challenges Facing Scholarly Communication: Evaluation of Publications in Academic Personnel Processes http://www.universityofcalifornia.edu/senate/committees/scsc/cap.eval.scsc.12.05.pdf .

SCSC white paper
Fall 2005

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2. **Concentrate on added value rather than ownership.** Publishers can and should maintain and extend peer review, editing, access, and other services that add great value to scholarly materials. These services can be priced and valued independently. Their addition does not require that the publisher own the content of an academic paper.

3. **Pursue technological and organizational innovation to improve scholarly communication systems.** Journal publishers have been, and continue to be, an important source of technical and organizational innovation. We wish to encourage continued experimentation and innovation providing it meets contemporary scholarly needs, rather than simply providing the opportunity to raise prices. There are pressing needs for innovation in areas such as support for data sets, automated search, retrieval, and manipulation, online commentary, and other services that add to scholarship.

4. **Avoid monopoly pricing.** Universities, states and others will use all available means to sustain access, including anti-trust and other legal remedies.

5. **Provide transparent financial information.** Transparent finances will build trust among stakeholders in scholarly communication. Publishers, authors, and research institutions rely on one another for inputs, processes, and outputs of scholarly communication. Their actions influence each other’s motivations and rewards. Therefore scholarly communication stakeholders must work together to reduce total costs and make improvements to scholarly communication systems. Financial insight and transparency is necessary in this pursuit, and should include identification of production costs and agreement on measures of value.

A worthy challenge for all stakeholders in the scholarly publishing community is to derive business models that simultaneously a) maximize the audience for scholarly publications; b) sustain consumer costs within a predictable and affordable range for the academic and public marketplaces; c) provide reasonable economic returns to owners and shareholders; and d) encourage reinvestment in creating greater efficiencies and effectiveness of publishing processes and infrastructure.

6. **Enable the persistence of, and permanent access to the scholarly record.** Rapid technological change, notably frequent change in digital storage regimes, generates a risk that academic papers will not be readable in the future. Publishers and other stakeholders need to work together to establish trusted repositories ensuring persistence of and ongoing access to the scholarly record.

**Accountability**

Aligning current practice with the shared goals of creating healthy, sustainable systems for scholarly communication is a difficult task that must a) acknowledge and draw from the successes of the scholarly publishing industry; and b) define, as suggested above, new standards and best practices against which to assess the pursuit. Fortunately, publishers, libraries, and scholars have an existing set of metrics and partnerships upon which to draw.

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2 We count among these innovations the use of technology to increase production efficiencies and access and decrease time to publication, new business models including open access and “producer pays,” and creative partnerships to leverage and best apply the contributions of all stakeholders in scholarly publishing.

3 See, for example, the antitrust analyses of mergers and pricing practices in the scholarly publishing industry from the Information Access Alliance. http://www.informationaccess.org/.

4 Recent examples include the COUNTER standards for usage statistics, the citation-driven “impact factor” metric for assessing the impact of scholarly journals, and the OpenURL and DOI schemes for persistent and flexible identification of journal articles.
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The Academic Senate envisions building upon past practice to encourage the emergence of a sustainable scholarly communication system through specific actions such as: establishing a set of best-practice criteria for scholarly journals across all formats; periodically evaluating and reporting the ways in which the journals to which the UC system subscribes meet the best practice criteria; recommending cancellations, subscriptions to competitors, or the launching of competing journals in those cases where journals consistently fail to meet best practices; publicly recognizing those journals that consistently do meet or exceed expectations and encouraging UC faculty to publish in them; and creating venues through which to discuss and harmonize these strategies and actions with those of other prominent universities and university consortia.

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5 These criteria may include indices of price, use, quality of content and service, and the publisher’s orientation toward copyright.
The Case of Scholarly Book Publishing

(Approved for Systemwide Academic Senate Review by the Academic Council on December 14, 2005.)

Discussion Statement

The scholarly book is in peril. The history and causes of the crisis are complex, but the effect is straightforward: in many fields opportunities for publishing scholarly books, including specialized monographs, have become scarce, even as they remain critically important to scholarly communication and a requirement for scholarly advancement. Analysis, planning, and action to address these problems must become a shared priority of authors, universities, and publishers.

The Academic Senate calls upon its own and other faculty authors, university administrators, libraries, commercial publishers, and university presses to:

1. Experiment with new publishing models that fully leverage scholarly editorial expertise and digital technologies;
2. Collaborate to make best use of each other’s strengths while maximizing the efficient dissemination of scholarship;
3. Pursue and expand indicators of scholarly quality that acknowledge the continuing value of the printed format, but remove it as a tacit requirement for acceptable scholarship;
4. Rethink how university resources for book publishing are distributed; and
5. Provide subventions for non-tenured faculty to assist in the publication of appropriately peer reviewed, high quality scholarship.

Background

The University of California faculty, along with academic colleagues throughout the world, are growing increasingly concerned about reduced and lost opportunities to share the results of research and scholarship for the progress of knowledge. The crisis involves all forms of scholarly publishing, but is especially acute for monographic works and for university presses, where declining sales are forcing presses to publish many fewer specialized monographs even though monographs remain essential for disseminating knowledge and establishing credentials in most humanities and many social science disciplines. There is no lack of diagnoses of the problem, which variously have analyzed the effect of high-priced databases and science journals on library budgets, increasing disciplinary specialization leading to smaller markets, decreasing subsidies for presses, and the changing demographics of higher education itself.¹

Diagnosis must now be complemented by systemic and strategic efforts to directly address the problems. As in other sectors of scholarly communication, the participants in scholarly book publishing must adopt values, practices, and partnerships that lead to equitable, sustainable, and flexible scholarly publishing that is well matched to the needs of academe.

Values and Practice

1. **Experiment with new publishing models that fully leverage scholarly editorial expertise and digital technologies.** Because the status quo is not working, we must analyze and experimentally reconfigure the components of book publishing. We encourage, for example,

experiments in journal-like distributed editing, and digital-first peer reviewed publication followed by print-on-demand. Moreover, we advocate for a move away from book/journal and print/digital dichotomies, toward approaches that produce high quality scholarship in a variety of formats for a range of audiences.

2. **Collaborate to make best use of each other’s strengths while maximizing the efficient dissemination of scholarship.** Faculty, libraries, and scholarly book publishers must collaborate to make best use of each entity’s strengths, leverage work that is already being done, and use the university’s financial resources most efficiently. We encourage creative partnerships, such as the one between the California Digital Library (CDL) and UC Press, which is creating book series that are managed by faculty editorial boards, uses the CDL’s eScholarship repository for digital publication, and leverages the Press’s printing and marketing services.

3. **Expand and pursue indicators of scholarly quality that acknowledge the continuing value of the printed format, but remove it as a tacit requirement for acceptable scholarship.** The distinction between print and digital is blurring. Because print-on-demand technology makes it possible and cost effective to produce high quality print versions of rigorously reviewed digital-first or digital-only publications, print publication is no longer a meaningful surrogate for peer review and quality of imprint. Of course here, as elsewhere in scholarly publishing, peer review and other quality control policies and processes must be disclosed. However, publication format need not be an issue in the dissemination of scholarship.

4. **Rethink how university resources for monograph publishing are distributed.** Direct and indirect support for scholarly book publishing – historically including library book purchases, direct and indirect support to the university press, and scholars’ editing services, among others – needs to be considered within the overall rapidly evolving scholarly communication environment. The need to rethink support arises from factors such as: a) rapid changes in other sectors that affect book publishing, as when escalating journal prices constrain library book purchasing power; b) the need to encourage innovations called for above, such as library-press publishing partnerships; and c) calls for direct economic action, such as “first book” subventions to support non-tenured faculty. We urge an evaluation of the support needed to evolve healthy monograph publishing that takes into account the university’s overall role in scholarly communication, and the implied cost sources, centers, and totals.

5. **Provide subventions for non-tenured faculty to assist in the publication of appropriately peer reviewed, high quality scholarship.** An effective form of university support is subventions to authors which can be applied to initial publication costs at an appropriate, post peer review, point in production. Subventions, including as startup packages for new non-tenured faculty, have analogs in the sciences, are well tested and well used in much of academe, and, in aggregate, will help ease the economic dysfunctions in university and scholarly press publishing.

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2 As suggested, for example, in the companion to this whitepaper titled *Responding to the Challenges Facing Scholarly Communication: Evaluation of Publications in Academic Personnel Processes* http://www.universityofcalifornia.edu/senate/committees/scsc/cap.eval.scsc.12.05.pdf .

3 See Ibid.
Responding to the Challenges Facing Scholarly Communication

Scholarly Societies and Scholarly Communication
(Approved for Systemwide Academic Senate Review by the Academic Council on December 14, 2005.)

Discussion Statement
Most scholarly societies help enable the development and dissemination of new knowledge in their disciplines by publishing scholarly books and journals, and sponsoring research and educational conferences with great benefit to their members and the public. However, faced with rising costs of operating their organizations, some societies have begun pricing their scholarly works above what is needed for maintaining the publication to provide additional income for the society. For many societies the complexities of publication production have led to partnerships with profit-maximizing commercial publishers, often leading to further price increases. Rapidly rising prices inevitably create barriers to access and reduce the impact of the scholarly work.

In recognition of their critical and singular ability and self-proclaimed responsibility to advance knowledge within their discipline and to make this knowledge affordable to the widest audience, the Academic Senate recommends that scholarly societies facilitate access to scholarship by:

1. Reaffirming that development and dissemination of scholarly information is the or one of the most important purposes of the society;
2. Setting their publications policies to sustain publication and dissemination of knowledge, without requiring high or rapidly rising subscription prices to support other society operations;
3. Acquiring only those copyrights for scholarly works that demonstrably protect their investment in publication, while allowing scholars to retain rights which will facilitate other non-commercial use and dissemination of new knowledge;
4. Working collaboratively with universities and publishers to develop and adopt the most economical and technologically effective methods of publishing that also maximize quality, dissemination, and impact, including placing work in open access fora; and
5. Providing organizational and financial innovations, and transparent society and publication finances to promote efficient and economical resource use in scholarly communication.

Background
Societies are a critical contributor to and stakeholder in scholarship and scholarly communication. They have served the public well for centuries, beginning with learned societies in antiquity, and entering more modern history with such bodies as the British Royal Society (founded in 1660), the five académies of the Institut de France (all founded in the seventeenth and eighteenth centuries) and leading to more than 4,100 societies serving contemporary scholarship. They have largely been led by academics and have fostered open and intellectual inquiry into virtually all fields of scholarship from aesthetics and archeology to zoology. Many of their deliberations have been made public through the societies’ meetings and publications, and these efforts remain at the heart of the work of many societies today. These groups often sponsor education within their discipline for all levels of students and the public, and often act as advocates for public and private support of their discipline.

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1 As documented by the Scholarly Societies Project at the University of Waterloo Library, http://www.scholarly-societies.org/.
Societies were founded and run by scholars and still depend upon their intellectual contributions; for good reasons many outsourced their publication activities, yielding what should and could be successful partnerships that still support the societies’ missions. While many societies published their own books and journals for centuries, in the past fifty years, the complexities of modern publishing and the focused academic interests of the society leaders led to increasingly close relationships between some societies and commercial publishers. Academics generally are responsible for founding and maintaining society journals and other publications, and organizing conferences whose scholarly work is often published. They usually write articles and books, referee and edit their colleagues’ work, and often provide important society leadership. Publishers bring their organizational skills to producing the scholarly works, and achieve some important economies in printing and marketing among others.

Transfer of limited copyrights in scholarly material from author to society (via copyright transfer) can assist that part of the society’s mission to spread and advance knowledge, which itself has been and could continue to be subsidized by other society activities when necessary. While full copyright transfer was a convention, it never was and no longer is required to fulfill the mission. Societies used to require that authors transfer copyright to them to facilitate production and dissemination, and some still do. Those in this latter group maintain control of their publications from solicitation and acceptance of scholarly work, to editing and coordinating refereeing of the material, to printing and distributing the final work. Because of the importance that they attribute to dissemination of scholarship, these societies sometimes produce this work at a financial loss that is borne by other society income sources such as membership dues or conference income. This model was followed by most societies from their inception, until the last thirty years or so when new methods of producing scholarly work began being adopted.

Copyright transfer is subject to abuse, particularly when societies partner with profit-maximizing commercial publishers and therefore cede control of the material, with resulting constraints on dissemination and impact. With the economics and effort of publishing, in some societies, scholars increasingly are transferring copyright to publishers and have little control on costs and prices. Faculty now write the material, edit it, referee it and then give it to publishers who sell it back to scholars and their universities, often making substantial profits and rapidly increasing costs of the publications. If there are any profits accruing from the books and journals, the societies usually share them, but the publisher controls the large parts of costs including corporate development and overhead over which the society has virtually no control, and often little knowledge. Publishers vary in their management of costs and profits. Some control costs very effectively and require only modest profits, while others follow more traditional corporate practices of charging what the market will bear and maximizing profit for shareholders, at the expense of their market which are faculty, academic institutions and the public. Societies similarly vary in the costs of and profits from their publications, across nearly the same range as commercial publishers.

Societies are in unique positions to improve scholarly communication within their discipline by creating and fostering new publication methods. Through the enlightened leadership of scholars, societies can help define productive areas for advancement in their discipline, and can foster research and new thought by focused conferences and publications in developing topics that they feel are likely to benefit their members and society more generally. To enhance the availability of knowledge, societies can orchestrate the organization of information across publications where neither the individual scholar nor separate journal has the motivation or ability to do so. Societies should use their particular broad and powerful position as shepherds of their discipline’s

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knowledge to not only encourage the development and organization of that knowledge, but to also encourage extending that knowledge through eased and improved access to it. Emerging technology can facilitate efforts by societies and their scholars to organize and enhance substantially their discipline’s scholarship and its availability, tasks that societies are uniquely positioned to undertake.

There are many current society experiments and successes in evolving healthy scholarly communication to meet the needs of scholars, societies, and academe. All societies who have the advance of disciplinary knowledge as a priority goal should study and replicate these experiments, and create their own technological, organizational, and operational innovations in support of that goal.

Societies are accountable to their membership and to the academy for the ways in which they fulfill their scholarly communication mission. Transparency in business models that support publishing and other society efforts is a necessary part of this accountability. A transparent presentation of a society’s finances will allow its membership to determine whether or not profits from publications are needed for the work of the society. The prices of access to new knowledge will be lowest if they are set to meet the core costs of production and dissemination of new knowledge, and are not inflated by the society’s need for other income. A society might choose to curtail some of its activities if its members have to bear all the associated costs, rather than relying on its scholarly publications to defray some of these non-publication costs. The societies must recognize that increased costs of publications slows the spread of knowledge that the societies themselves hold as a crucial societal function. We believe that societies should examine carefully their policies on publication costs and the use of that income, and place a very high value on spreading knowledge widely.

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3 See, for example, the publication program of the Optical Society of America and its Optics Express open access journal, http://www.opticsexpress.org/; the American Anthropology Association’s integrated knowledge portal AnthroSource, http://www.anthrosource.net/; or the series of "virtual" journals in the physical sciences that has been jointly developed by the American Institute of Physics (AIP) and the American Physical Society (APS), http://www.virtualjournals.org/.
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Academic Council’s Special Committee on Scholarly Communication

Responding to the Challenges Facing Scholarly Communication

The Case of Scholars’ Management of Their Copyright
(Approved for Systemwide Academic Senate Review by the Academic Council on December 14, 2005)

Discussion Statement
We call upon UC faculty and scholars at other institutions to exercise control of their scholarship, and their institutions to support this behavior, in at least the following ways:

1. UC and other faculty members must manage their intellectual property in ways that ensure the widest dissemination of works in service to education and research. Specifically, and with the understanding that copyright is actually a bundle of rights that can be separately managed, we urge faculty to transfer to publishers only the right of first publication, OR at a minimum, retain rights that allow postprint archiving and subsequent non-profit use.¹

2. As part of copyright management, faculty shall routinely grant to The Regents of the University of California a limited, irrevocable, perpetual, worldwide, non-exclusive license to place the faculty member’s scholarly work in a non-commercial open-access repository for purposes of online dissemination and preservation on behalf of the author and the public.²

3. The University must explore and develop support services to assist faculty to manage their copyright and disseminate their scholarship.

4. University stakeholders must continue to partner, explore, and create a set of information management services including, but not limited to, alternative modes of publishing and disseminating information that allow broadest access at the lowest sustainable cost to the scholar, students and the public.

The management of copyright assigned to scholarly work is a crucial component of scholarly communication. The dysfunctions of scholarly communication – dysfunctions that already decrease the University of California community’s access to scholarly materials and limit the dissemination and impact of UC’s scholarship – can be addressed, in part, by scholars’ active and explicit management of their intellectual property via copyright provisions in publication agreements. Copyright management, which can allow wider and timelier dissemination of research results and therefore increases the potential for impact on subsequent scholarship and societal progress, is largely within the purview of the individual scholar as author, but can be facilitated by the author’s institution to support both individual and collective copyright management. The Academic Senate calls upon its members to actively manage their copyrights, and on the University to: a) provide assistance in scholars’ retention of rights; and b) to establish and promote alternative modes of scholarly publishing that enable broad access at affordable costs. The Academic Senate also feels this call for action is appropriate for other scholars and institutions in the United States and abroad.

Background
The University of California faculty, along with academic colleagues throughout the world, are increasingly concerned about lost control and impact of its published scholarship. A significant part of the story is economic. For decades the cost of scholarly materials has escalated at rates far exceeding the consumer price index rate of inflation. This continuing inflation not only severely handicaps the UC libraries’ ability to maintain world-class collections, but also, when coupled with

¹ See Appendix I for a list of actions to take.
² See Proposal for UC Faculty - Scholarly Work Copyright Rights Policy, a companion piece to this whitepaper, for a discussion of one possible implementation strategy for this recommendation http://www.universityofcalifornia.edu/senate/committees/scsc/proposed.copyright.policy.scsc.12.05.pdf.
the rapidly expanding volume of scholarship, results in UC scholars and students having access
to a diminishing proportion of research relevant to their work.

The current economic dysfunctions simultaneously limit the audience for and impact of the
scholarship produced by UC’s faculty. When fewer institutions can afford the publications that
carry the results of UC research, it will be read and used by fewer members of the research
community. These factors combine to make this a critical issue for the University.

Having UC scholarship reach its potential impact is not limited to addressing economic
dysfunctions. Scholarly communication systems must evolve to take advantage of new computer
and communications technologies and must adapt their traditional functions to the expanding
forms of scholarly material and an expanding audience reachable through global networks.

How faculty choose to manage their copyright is another essential contributing factor that
determines whether scholarship reaches its potential impact.

The Role of Copyright
Among the primary goals and aspirations of the academy and its scholars are the creation and
wide dissemination of new knowledge for the benefit of society.

U.S. copyright law was designed to "promote the Progress of Science and useful Arts" (U.S.
Constitution, Article 1, Section 8, Clause 8). It is meant to encourage the work of inventors and
authors through the granting of limited monopolies in inventions and original works of authorship,
with the resulting possibility of commercial reward. In copyright law a balance was intended in
which the prospect of commercial reward would be an incentive to produce new works, while time
limits and other facets of copyright, such as fair use, would ensure that the societal benefit would
reach its full potential despite the limited monopoly enjoyed by the creator/author.

However, historically, the relationship between copyright and scholarship can be characterized
differently:

- Commercial reward has rarely been a direct incentive for scholars. Rather, scholars
desire that their work be widely disseminated and that it have an impact on society and
subsequent scholarship. Scholars are evaluated and rewarded primarily based on that
impact rather than the direct economic value of their work. Indeed, scholarship has been
called a "gift exchange society" where scholarly products, and also the labor of reviewing
and filtering them for quality, are given away.

- Historically the interests of the disseminators, i.e. publishers, have been closely aligned
with the authors. Indeed, early scholarly publishers were largely non-profit societies, i.e.
the scholars themselves aligned within discipline-based cohorts. Non-profit and society
publishers comprise a significant but shrinking proportion of current scholarly publishers.

- There were real “first-copy” costs (for soliciting, reviewing, and editing) and distribution
costs that needed to be met for distributing scholarship in the form of print materials.

The relationship between copyright and scholarship has changed, for reasons that include the
following:

- Digital and network technologies create efficiencies and modest reductions in first copy
costs; for works that can be effectively used in electronic format – becoming the norm for
scholarly journals and under active experimentation for monographs - they lower the
marginal cost of distribution to very low amounts.

3 *Policy Perspectives: To Publish and Perish*, The Association of Research Libraries, the
Association of American Universities, and the Pew Higher Education Roundtable, Special Issue
Commercial enterprises have entered the scholarly publishing arena. By nature their interests are driven in large part by the need to generate profit and meet shareholder’s expectations. The well-documented and dramatic four decade trend of rising journal prices, a related “merger effect” as large commercial publishers seek growth and higher profitability, and a subsequent decrease in access to and impact of scholarship is the result.4

This new relationship therefore is characterized by the economic use of copyright and by the monopoly on distribution and use of material that copyright provides to its owner, who now usually is the publisher and not the scholar. However, technological advances can allow other disseminators and even individuals to have these benefits. Further, publishers who possess copyright ownership enjoy economic advantage such as charges to users of the material, and publishers can exercise great control over additional use of the material. The control and economic advantage to the publisher are especially strong when all copyrights are transferred from the author to the publisher.

In publication agreements scholars are often asked or required to transfer their copyrights. Seeking to maximize profits, and when they possess the monopoly that full copyright gives them for any piece of scholarship (for which there are not competing alternatives as would be the case in a “normal” consumer market), many publishers can and do select the highest price that the market will bear. Further, when creators give away copyright, they themselves no longer necessarily have the right to use nor permit the use of the work in a variety of ways that advance the research and education goals of the scholar and the academy. Barred uses may include classroom use, posting on class websites, electronic reserve, deposit in an online repository such as UC’s eScholarship Repository, or even deposit in long term preservation archives. Explicitly barred use, or lost potential use because of high access fees (subscription or purchase charges), decreases the utility and impact of scholarship and delays, decreases, or hides the scholar’s contributions to the progress of knowledge.

However, copyright is a bundle of rights, and it is possible to achieve a balance between the goals of the publisher and the goals of sharing the material for the progress of scholarship and societal benefit. For example, faculty authors can transfer only the right of first publication to the publisher and to retain or share other rights, including the right for classroom use, for non-profit distribution following first publication, for preservation by a university entity, or the right to create derivative works, among others. Evidence suggests that the retention of these rights need not seriously reduce publishers’ economic and other incentives for first publication.5 Many academic organizations promote the importance of faculty management of their copyright and the ensuing potential for a balance of stakeholder interests.6

4 These and other economic trends are presented in summary form at http://osc.universityofcalifornia.edu/facts/econ_of_publishing.html, and other places. In-depth analyses are readily available, for example An Economic Analysis of Scientific Research Publishing, October 2003 by the Wellcome Trust, http://www.wellcome.ac.uk/assets/wtd003182.pdf

5 Consider, for example, publishers who ask only for first publication rights, e.g. http://www.alpsp.org/htp_grantli.htm; http://www.firstmonday.org/guidelines.html#copy; and http://www.plos.org/journals/license.html; http://www.biomedcentral.com/info/authors/license, or the estimated 71 percent of publishers who permit deposit of some form of the scholarship in an open access repository (as tracked by the UK’s Romeo/SHERPA project, http://www.sherpa.ac.uk/romeo.php?stats=yes).

6 See Appendix III for examples from AAAS and others.
The University of California
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The Faculty Position on the Role of Copyright in Balancing Stakeholders Interests

Scholarly tradition and current University policy assert that copyright belongs to the faculty author in most cases. At present, it is primarily the individual faculty member who, through publication agreements and individual negotiations with publishers, is in a direct position to manage their copyright in ways that address their own and the academy’s interests. The individual author’s retention of key rights, or the transfer of only those rights necessary for first publication by a publisher, is therefore an influential individual action.

However, working with their Senate and the University, the faculty can also wield their influence and manage their rights collectively, granting, by default, a limited and non-exclusive set of rights to the Academic Senate; and thus the faculty will guarantee and ease non-commercial use and widest possible access to research results.

Meanwhile, the University is in a position to assist individual action and leverage them collectively, for example, by building supporting tools and infrastructure to manage for the long term the products of UC’s scholarship, developing new forms of publishing and online access, and providing digital preservation, among others. Indeed several tools, such as the eScholarship Repository, are already available for use. The University of California is poised, through the Office of Scholarly Communication, the California Digital Library, the campus libraries, and others, to extend and add to these information management services thereby enabling new forms of publication, long-term archiving, classroom use, innovative impact analysis and the like. The ultimate benefits, and in some cases the viability of such services, will be enhanced if a set of appropriate and non-exclusive rights are granted from authors to the University.

For these reasons, the University of California Academic Senate strongly urges its members and scholars throughout the world to begin improving accessibility of scholarly works to a wider public by retaining greater control of copyrights to their material.

Appendix I. Management of Copyright

1. Retain Rights
   - Keep basic copyright while transferring limited rights to the publisher: Techniques and sample publishing agreements to transfer limited rights to the publisher are available at http://osc.universityofcalifornia.edu/manage/keep_copyrights.html.

Or

2. Transfer copyrights but reserve some rights: Techniques and language to modify the language of the publishing contract to transfer non-exclusive rights to the publisher are available at http://osc.universityofcalifornia.edu/manage/transfer_copyrights.html.

Or

3. Submit work to publishers with enlightened copyright policies: Many publishers are liberalizing their policies to help achieve a balance between their interests and those of their authors.

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7 See Appendix.II for a summary of UC policy.
8 See Proposal for UC Faculty - Scholarly Work Copyright Rights Policy, a companion piece to this whitepaper, for a discussion of one possible implementation strategy for this recommendation http://www.universityofcalifornia.edu/senate/committees/scsc/proposed.copyright.policy.scsc.12.05.pdf.

9 Exemplary policies from the Association for Computing Machinery (http://www.acm.org/pubs/copyright_policy/), the Association of Learned and Professional Society Publishers (http://www.alpsp.org/lplcense.pdf), and others are available at http://www.earlham.edu/~peters/fos/lists.htm#statements. A directory of publisher policies regarding preprints and postprints is available at http://romeo.eprints.org/.
2. Leverage Retained Rights

- Deposit a preprint or postprint of your work in an open access repository, such as UC’s eScholarship Repository (http://repositories.cdlib.org/escholarship/)

And

- Grant non-exclusive rights to others to use your work; for example by attaching a creative commons “attribution license” to your work (see http://creativecommons.org/about/licenses/).
Appendix II. Current UC Copyright Policy

Ownership of copyrighted works created at the University is determined by the 1992 Policy on Copyright Ownership:

"This Policy is intended to embody the spirit of academic tradition, which provides copyright ownership to faculty for their scholarly and aesthetic copyrighted works, and is otherwise consistent with the United States Copyright Law, which provides the university ownership of its employment-related works. Pursuant to Regents' Standing Order 100.4, the President has responsibility for all matters relating to intellectual property, including copyrights in which the University is involved." — Preamble from the University of California Policy on Copyright Ownership, 1992.

Within UC, the Provost's Standing Committee on Copyright "Monitors the copyright environment and makes recommendations to the University on how to align University copyright policy and management with the goals of the academic mission in the context of continuous and rapid change" (http://www.ucop.edu/copyright/, accessed 9/28/04).
Appendix III. Samples of Principles for Copyright Management in Higher Education

The Tempe Principles\textsuperscript{10}:
“...The academic community embraces the concepts of copyright and fair use and seeks a balance in the interests of owners and users in the digital environment. Universities, colleges, and especially their faculties should manage copyright and its limitations and exceptions in a manner that assures the faculty access to and use of their own published works in their research and teaching.”

The AAAS\textsuperscript{11}:
“...scientists, as authors, should strive to use the leverage of their ownership of the bundle of copyright rights, whether or not they transfer copyright, to secure licensing terms that promote as much as possible ready access to and use of their published work.”

Zwolle Principles\textsuperscript{12}:
Balancing stakeholder interests in scholarship friendly copyright practices.

Objective
To assist stakeholders—including authors, publishers, librarians, universities and the public—to achieve maximum access to scholarship without compromising quality or academic freedom and without denying aspects of costs and rewards involved.

Principles
1. Achievement of this objective requires the optimal management of copyright in scholarly works to secure clear allocation of rights that balance the interests of all stakeholders.

2. Optimal management may be achieved through thoughtful development and implementation of policies, contracts, and other tools, as well as processes and educational programs, (collectively “Copyright Management”) that articulate the allocation of rights and responsibilities with respect to scholarly works.

3. Appropriate Copyright Management and the interests of various stakeholders will vary according to numerous factors, including the nature of the work; for example, computer programs, journal articles, databases and multimedia instructional works may require different treatment.

4. In the development of Copyright Management, the primary focus should be on the allocation to various stakeholders of specific rights.

5. Copyright Management should strive to respect the interests of all stakeholders involved in the use and management of scholarly works; those interests may at times diverge, but will in many cases coincide.

6. All stakeholders in the management of the copyright in scholarly works have an interest in attaining the highest standards of quality, maximizing current and future access, and ensuring

\textsuperscript{10} The result of a meeting held in Tempe, Arizona, on March 2-4, 2000. Sponsored by the Association of American Universities, the Association of Research Libraries, and the Merrill Advanced Studies Center of the University of Kansas. http://www.arl.org/scomm/tempe.html.


\textsuperscript{12} Endorsed by attendees during a December 2002 conference in Zwolle, the Netherlands, hosted by the Dutch SURF Foundation and by the UK’s Joint Information Systems Committee (JISC). http://www.surf.nl/copyright/keyissues/scholarlycommunication/principles.php.
preservation; stakeholders should work together on an international basis to best achieve these common goals and to develop a mutually supportive community of interest.

7. All stakeholders should actively promote an understanding of the important implications of copyright management of scholarly work and encourage engagement with the development and implementation of Copyright Management tools to achieve the overarching objective.

Cornell (2005)
The Senate strongly urges all faculty to negotiate with the journals in which they publish either to retain copyright rights and transfer only the right of first print and electronic publication, or to retain at a minimum the right of postprint archiving.\(^\text{13}\)

CSU, SUNY, CUNY (1997)
"...through creative reallocations of rights, members of the university community can use copyright protection to better serve the wide range of dynamic interests associated with the growth and sharing of knowledge, which are the core of a university's mission -- all in direct furtherance of the Constitution's provision that copyright should 'promote the Progress of Science and the useful Arts.'"\(^\text{14}\)

\(^{13}\) Cornell Faculty Senate Resolution on Scholarly Publishing, passed 11 May 2005. [http://www.library.cornell.edu/scholarlycomm/resolution.html](http://www.library.cornell.edu/scholarlycomm/resolution.html).

\(^{14}\) Ownership of New Works at the University: Unbundling of Rights and the Pursuit of Higher Learning (CSU, SUNY, CUNY, 1997).
Proposal for UC Faculty – Scholarly Work Copyright Rights Policy
(Approved for Systemwide Academic Senate Review by the Academic Council on December 14, 2005.)

In order to facilitate scholarly communication and maximize the impact of the scholarship of UC faculty\(^1\), the Academic Council’s Special Committee on Scholarly Communication (SCSC)s proposes that the Academic Council consider the following recommended UC copyright policy change:

“A faculty member’s ownership of copyright is controlled by the University of California Policy on Ownership of Copyright [http://www.universityofcalifornia.edu/copyright/]. University of California faculty shall routinely grant to The Regents of the University of California a limited, irrevocable, perpetual, worldwide, non-exclusive license to place the faculty member’s scholarly work in a non-commercial open-access online repository. In the event a faculty member assigns all or a part of the faculty member’s copyright rights to a publisher as part of a publication agreement, the faculty member must retain the right to grant this license to the Regents.”

Faculty can opt out of this agreement for any specific work, or invoke a specific delay before such work appears in an open-access repository. The Regents will direct the Academic Senate, in collaboration with UC Administration, to establish support and control mechanisms for the use of scholarly work covered by this policy. No income will accrue to the Regents, the University or the Academic by this non-exclusive copyright license.

SCSC understands that such a proposed policy change would require broad discussion and adoption by the Academic Assembly before submission to UC Administration and the Regents for consideration.

(Some comments offered by SCSC that may be helpful to reviewers.)

1. Terminology-- If a copyright owner retains ownership, he or she "licenses" another to exercise some/all of the copyright rights granted by statute. If a copyright owner “assigns” a copyright to another, ownership of the copyright is transferred to the other party. It is possible to assign ownership of copyright but to reserve a license to use the work in a way specified by a publishing agreement. From SCSC’s perspective, the ideal is for the faculty to retain copyright ownership but grant a license to the publisher to publish on an exclusive basis for X period of time but with the copyright owner reserving the right during that period of time to license the right to another body for the kind of publication we envision.

2. License – an earlier draft policy called for faculty to "assign" to the Academic Senate a limited right to place their work in a scholarly repository. A better route would be to grant a "license," not an assignment, since a license allows the author to continue to own the copyright. Additionally, it is preferable to grant the license to a legally recognized body, such as a corporation. Thus, the current policy proposal calls for the faculty to reserve a license to The Regents (i.e., the corporation), with the intention that The Regents will ask the Senate to oversee the placement and use of the scholarly work in an open access repository. As an internal matter, a policy could be adopted clarifying that The Regents is authorized to do only X, Y, and Z with the licensed material.

3. Opt-out statement—SCSC was divided on whether or not to include the opt-out option. Its inclusion would give faculty greater flexibility in handling their scholarly work, but perhaps makes a weaker statement by the UC faculty about the importance of retaining copyright. An intermediate stance might be to have a body (a committee of the Senate?) designated to decide whether the policy can be waived and internal guidelines/standards for such waiver could be adopted. These would be available to anyone who asked for such and might strengthen the faculty's leverage more than simply allowing the faculty to opt out.

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\(^1\) This proposal follows and implements the intent and specific principles contained in Responding to the Challenges Facing Scholarly Communication: The Case of Scholars’ Management of Their Copyright http://www.universityofcalifornia.edu/senate/committees/scsc/copyright.whitepaper.scsc.12.05.pdf
COMMUNICATION FROM THE SAN FRANCISCO DIVISION

Deborah Greenspan, DSc, BDS, Chair

San Francisco Division Comments and Recommendations on Draft White Papers Responding to the Challenges Facing Scholarly Communications and Proposed Policy on Scholarly Work Copyrights

EXECUTIVE SUMMARY

In early February 2006, all committees of the San Francisco Division were asked to review and provide comments and recommendations related to the draft White Papers Responding to the Challenges Facing Scholarly Communications and Proposed Policy on Scholarly Work Copyrights (White Papers). Twelve of our Divisional committees responded: Committees on Academic Planning and Budget, Academic Personnel, Education Policy, Courses of Instruction, Library, Clinical Affairs, Faculty Welfare, Academic Freedom and the Schools of Dentistry, Medicine, Nursing and Pharmacy and Faculty Councils.

Overall, UCSF Committees expressed support for the concepts put forward in the White Papers and for the proposed policy. However, a number of concerns were expressed, which should be taken into account as the Academic Council works with OP and UC General Counsel to formalize and finalize the recommendations and processes. Additionally, specific recommendations were provided which the UCSF Division believes will strengthen the overall proposal. At the forefront is the need to properly and thoroughly educate UC faculty on any changes from existing processes and to provide the faculty with adequate resources/support (financial, administrative and/or legal) prior to implementation.

The collective comments and recommendations of UCSF Committees are indicated below and represent the Divisional response for consideration and action by the Academic Council.

RECOMMENDATIONS

1. Approve in concept, and transmit to the President for further consideration, the White Papers and proposed Policy.

2. That consideration be given to integrating into the final proposals/procedures for implementation the following:
A. UC faculty be provided with specific training, more information and increased awareness related to rights associated with “copyright”, “limited licensing fair use” and “use by the author.”

B. UC faculty be provided with specific training designed to provide a more in-depth understanding of issues related to monographs, electronic textbooks, personally created works (fiction or non-fiction works), teaching materials, and personal or didactic Web sites.

C. That easy access to campus counsel or other dedicated UC support mechanism(s) be made available and easily accessible to UC faculty to assist with the negotiation between publishers and UC faculty (authors) in order to assist faculty and to add strength to the collective “University” position in such negotiations.

D. University or departmental support be provided to UC faculty in the way of funding, administrative and legal assistance as an incentive to submit their creative activities to open access venues such as the Public Library of Science, since doing so shifts the burden of cost and negotiations related to publication onto the researcher or Principal Investigator.

E. Provide UC faculty with additional clarification as to how these proposals and new policy would effect multiple author publications, particularly when one or more co-authors are not within the UC system.

3. The Special Committee on Scholarly Communication papers should be amended to provide a stronger recommendation with respect to evaluating the content of scholarly work, as opposed to the “venue” or “reputation” of the service.

4. The Resolution should be rephrased as follows: “A non-exclusive license is not such a transfer and might be described colloquially as a grant of ‘permission’. This nomenclature may make the proposal more palatable to faculty members inclined to distrust their employing institution’s motives.”

5. The Special Committee on Scholarly Communication should provide clarification to section 2.a. of the Evaluation of Electronic Publications in the Academic Review Process document. The requirement as to referees is unclear. For individual issues or articles, the identities of referees are nearly always confidential and would not, and in most cases, should not be indicated. It should be explicit that any required list of referees should not be linked to individual articles.

COMMENTS

1. The University must take the lead in developing a policy that enables individual faculty members to retain part or all of the copyright without interfering with the ability to publish their work in the desired journals. Individual faculty are not likely to be able to do this on their own in a consistent fashion.

2. UCSF CAP believes it can evaluate electronic publications as easily as press publications. It is already the practice of CAP to consider electronic publications in the academic review process. UCSF CAP equally values press, electronic and open source publications and asserts that electronic disseminations of creative activity is considered equivalent to print dissemination.
3. UCSF CAP does not support putting individual authors (UC faculty members) in the position of negotiating copyright individually with publishers. There should be a University responsibility or the University should provide the support mechanisms and the collective strength of the “University of California” for such negotiations.

4. Concerns were expressed about the quality control and content of the eScholarship repository related to whether the contents is subject to peer review and whether the eScholarship repository would be linked with the National Institutes of Health (NIH) data repository.

5. There should be clarification in the final recommendations/policies as to whether UC faculty will have the ability to “opt out” if they believe that the new policy(s) will limit their ability to publish in the most appropriate journal for their work.

Thank you for the opportunity to evaluate these White Papers, comments and proposed policy.

Yours sincerely,

Deborah Greenspan, DSc, BDS
Chair, UCSF Academic Senate

cc: All Chairs Divisional Committees
    All Faculty Council Chairs
    Professor Lawrence Pitts
    Academic Senate Office
Appendix 3: Retiree Health Care Funding

Retiree Health Benefits Are Not Guaranteed. The University of California administers its employee and retiree health program separately from the state (CalPERS). As a result, there are some differences. One very important difference is that, unlike CalPERS, UC benefit plan documents explicitly state that retiree health benefits are not vested or accrued entitlements and that the Regents may change or stop benefits altogether.

Rising Cost of Retiree Health Care. As might be obvious, costs for retiree health benefits have been rising, reflecting in part the rising cost of health care, which is increasing faster than inflation. Additionally, the number of retirees that the University covers in its health programs continues to increase, as folks are living longer, and the “baby boom” generation has begun to retire. Put bluntly, employees are entering retirement faster than prior retirees and their family members are dying.

UC Retiree Medical and Dental Benefit Costs Increasing

(In Millions)

Source: UC Annual Financial Reports.
Retiree Health Benefits Are Not Pre-funded. Retiree health benefits are paid from funds derived in the year the benefits are used by retirees. As you are likely aware, this pay-as-you-go approach differs from the pre-funding model used for the UC pension benefits, where costs are funded in advance during employees’ working years and invested until paid to retirees. The pay-as-you-go approach has led to the accumulation of massive financial liabilities to pay for future retiree health benefits.

New Government Accounting Rules for the Liability for Retiree Health Benefits. To bring governmental accounting standards more into line with those of private companies, the Governmental Accounting Standards Board (GASB) has implemented a series of accounting rules, known as statements, concerning governmental liabilities related to retirement benefits. In 2004, GASB released Statement 45 (GASB 45), which requires quantifying the unfunded liabilities associated with retiree health benefits. Under GASB 45, government financial statements will list an actuarially determined amount known as an “annual required contribution”. This contribution is comprised of the following two costs: 1) The “normal cost”: the amount that needs to be set aside in order to fund future retiree health benefits earned in the current year. 2) Unfunded liability costs: the amount needed to pay off existing unfunded retiree health liabilities over a period of no longer than 30 years.

Because of these changes in accounting standards, the issue of pre-funding has considerations that go beyond the ability to maintain retiree health benefits—unfunded pension and retiree health obligations are viewed by bond analysts as similar to debt. For rating agencies and bond investors, more debt can be a negative consideration.

Prepared by Kenneth Drasner, M.D.
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Sections of this handout were derived from a report prepared by the Legislative Analyst's Office (LAO), authored by Jason Dickerson and Michael Cohen.