



320 STEPHENS HALL  
UNIVERSITY OF CALIFORNIA

January 9, 2015

MARY GILLY  
Chair, Academic Council

*Subject: Draft Presidential Policy on Open Access for non-Senate authors*

Dear Mary,

On December 8, 2014, the Divisional Council (DIVCO) of the Berkeley Division discussed the draft Presidential Policy on Open Access for University of California authors who are not members of the Academic Senate, informed by commentary of our divisional committees on Faculty Welfare (FWEL), the Library (LIBR), and Graduate Council (GC).

The full text of LIBR's commentary is appended. It raises a concern about a key difference between the current policy for Senate members and the proposed policy for non-Senate members. No justification or rationale is offered in the draft policy for the difference. In order to provide an informed opinion, DIVCO would appreciate receiving a clarification on this point. Accordingly, we decline to endorse the proposal at this time.

Sincerely,

A handwritten signature in black ink that reads 'P Papadopoulos'.

Panos Papadopoulos  
Chair, Berkeley Division of the Academic Senate  
Chancellor's Professor of Mechanical Engineering

Encl.

Cc: Mark Gergen and Calvin Moore, Co-chairs, Committee on Faculty Welfare  
Margaretta Lovell, Chair, Committee on the Library  
Lisa Alvarez-Cohen, Chair, Graduate Council  
Linda Song, Associate Director staffing Graduate Council  
Anita Ross, Senate Analyst, Committee on Faculty Welfare  
Diane Sprouse, Senate Analyst, Committee on the Library

November 20, 2014

**TO: PANOS PAPADOPOULOS, CHAIR  
BERKELEY DIVISION OF THE ACADEMIC SENATE**

**RE: LIBRARY COMMENTS: SYSTEMWIDE REVIEW OF PROPOSED NEW UC POLICY ON OPEN ACCESS**

The Senate Library Committee met and discussed the proposed “Systemwide Review of Proposed New UC Policy on Open Access” on November 4, 2014, and submits these comments:

1. The Committee encourages the Provost’s Office to ensure that all non-Senate members of the UC community who are affected by the draft Presidential Policy on Open Access are informed about it and have an opportunity to fully discuss it and provide feedback. The same thorough vetting of the Open Access policy that occurred with Academic Senate faculty should be afforded to others who will now be affected by this policy, including faculty, other academic personnel, students, administrators, and staff. This is especially true of students and part-time employees such as “University Extension appointees” and lecturers (to whom the policy apparently applies), whose non-permanent status may not make them as aware of policies like this as full-time faculty are.
2. We also are concerned that the proposed policy “differs from the current Academic Senate Policy...in the requirement to deposit a copy of each article both when there is a waiver and when there is not,” according to the “September 2014 Proposed Presidential Policy on Open Access: Additional Information and Frequently Asked Questions for Systemwide Review Prepared by the Provost’s Task Force on Open Access.”

There is no further explanation for why this difference exists and why non-Senate members are required to deposit a copy of an article even when there is a waiver. Absent some compelling reason for this difference, we feel the same policy adopted by the Academic Senate should be applied to non-Senate members of the UC community. We note that the October 15, 2014, letter from the Provost and Executive Vice President for Academic Affairs distributing the proposed policy stated that a guiding principle for the Provost’s Task Force on Open Access was “to implement the enclosed proposed policy as uniformly and fairly as possible for all members of the UC community who author scholarly articles. The Task Force has taken special care to consider how the proposed policy can work in concert with the Academic Senate’s policy and not supersede it.”

We recommend that the proposed UC Policy on Open Access include the same language and intent that has been incorporated into the Senate Open Access Policy with regard to those who wish to, or who must, opt out.

Thank you for the opportunity to comment on this proposal.