



320 STEPHENS HALL
UNIVERSITY OF CALIFORNIA

March 12, 2019

ROBERT MAY
Chair, Academic Council

Subject: Proposed Presidential Policy on Open Access for Theses and Dissertations – 2nd review

Dear Robert,

On February 25, 2019, the Divisional Council (DIVCO) of the Berkeley Division considered the proposal cited in the subject line, informed by commentary of our divisional committees on Academic Freedom (ACFR), the Library (LIBR) and Graduate Council (GC).

DIVCO's discussion echoed the commentary and recommendations of the GC report, which is appended in its entirety. Specifically, we endorse the following:

We recommend that the policy be revised to include an option at the time of filing for a six-year embargo for those students who anticipate the need for a longer embargo period. This length of time has the support of a learned society in a book-based discipline. While Graduate Council recognizes that this recommendation may delay public access to UC scholarship, the committee sees the two-fold benefit as worthwhile. First, it prioritizes the welfare of our students by adequately protecting their intellectual property and career trajectories. And second, this up-front request for a longer embargo period will ease the administrative burden on faculty, department chairs, and the Dean of the Graduate Division.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara Spackman'.

Barbara Spackman
Chair, Berkeley Division of the Academic Senate
Cecchetti Professor of Italian Studies and Professor of Comparative Literature

Encl.

cc: John Battles, Chair, Graduate Council
C. D. Blanton, Chair, Committee on the Library
Ty Alper, Chair, Committee on Academic Freedom
Sumei Quiggle, Associate Director staffing Graduate Council
Sumali Tuchrello, Senate Analyst, liaison to the Committee on the Library
Linda Corley, Senate Analyst, liaison to the Committee on Academic Freedom



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February 20, 2019

BARBARA SPACKMAN
Chair, Berkeley Division of the Academic Senate

*Re: GC Comments on Second Review of Proposed Presidential Policy
on Open Access for Theses and Dissertations*

Dear Chair Spackman:

The Graduate Council discussed the second systemwide review of the Proposed Presidential Policy on Open Access for Theses and Dissertations at its February 4, 2019 meeting. Graduate Division Associate Dean Eric Falci joined our meeting at the Council's request. Dean Falci provided valuable context regarding the development of the policy and concerns raised during the first review.

The Graduate Council supports UC's commitment to extending open access to the scholarship of its academics. At the same time, we recognize that a student may have legitimate interest in delaying public access to their thesis or dissertation. The revised draft takes into account earlier concerns that publishers may be reluctant to publish manuscripts available in an open-access repository. By default, the new Berkeley policy withholds dissertations from open-access for two years and permits the Dean of the Graduate Division to extend the embargo with multiple two-year extensions. The process requires a request by the dissertation chair or equivalent (e.g., chair of the department or member of the dissertation committee) on the student's behalf with an explanation of the need for the extension.

The new draft is a major improvement with provisions that better protect students' academic interests. The request for extensions is made more routine and transparent. However we would prefer that there be an initial option for students to request a longer embargo at the time of completion. Based on the experience of colleagues from "book-based" disciplines, it almost always takes more than two years to convert dissertation research into an academic book. The American Historical Association recommends a six-year embargo, corresponding to the normal term of an assistant professor appointment to the point of tenure and publication of a revised dissertation. Otherwise, in practice, a student may need to arrange multiple extensions before their dissertation research appears in an academic press.

We recommend that the policy be revised to include an option at the time of filing for a six-year embargo for those students who anticipate the need for a longer embargo period. This length of

time has the support of a learned society in a book-based discipline. While Graduate Council recognizes that this recommendation may delay public access to UC scholarship, the committee sees the two-fold benefit as worthwhile. First, it prioritizes the welfare of our students by adequately protecting their intellectual property and career trajectories. And second, this up-front request for a longer embargo period will ease the administrative burden on faculty, department chairs, and the Dean of the Graduate Division.

Sincerely,

A handwritten signature in black ink that reads "John J. Battles". The signature is written in a cursive, slightly slanted style.

John J. Battles
Chair, Graduate Council