



OFFICE OF THE PROVOST AND
EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

November 28, 2018

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COUNCIL OF UNIVERSITY LIBRARIANS

Re: Second Systemwide Review of Proposed Presidential Policy on Open Access for Theses
and Dissertations

Dear Colleagues:

Enclosed for its second systemwide review is the UC Open Access for Theses and Dissertations Policy. UCOP distributed this draft presidential policy for its first systemwide review on December 1, 2017.

This policy was developed in response to a March 2016 request from the Systemwide Library and Scholarly Information Advisory Committee (SLASIAC), which advises on academic copyright-related matters, systemwide library policies, and strategies to facilitate the transmissions of scholarly communications in a digital environment. There are two other systemwide UC open access policies designed to ensure access to UC-affiliated scholarly research: one for members of the Academic Senate and the other for all non-Academic Senate authors who have written scholarly articles while employed at UC (non-Senate academic appointees and staff members). These policies specifically address published scholarly articles. However, to date there is no systemwide uniformity or policy for ensuring electronic open access to UC graduate students' theses and dissertations.

With this systemwide policy, UC obtains a limited license to permit electronic theses or dissertations authored by UC graduate students to be available in an open access repository. This policy updates the prevailing norm from the previous century of having physical copies of theses and dissertations on library shelves. Under the proposed policy, each campus or location will be responsible for submitting theses and dissertations to the California Digital Library, which will make them publicly available via its eScholarship digital repository. Additionally, this policy brings theses and dissertations into the overall framework of UC's other open access policies, which currently direct all UC faculty members, academic appointees, and staff members to provide a similar "open access" license to UC for scholarly articles written while they are employed at UC. As detailed below, the updated policy is responsive to comments received during the first systemwide review.

Comments Submitted in First Systemwide Review

Over 65 submissions were made in response to the draft policy during the first systemwide review. Respondents included systemwide and divisional Academic Senate units; individual faculty and faculty associations; current and former graduate students; and campus administrators. Reviewers and commenters provided a number of different suggestions for improving the draft policy. Below is a summary of key issues raised and how the revised draft policy is responsive to those comments.

Length of Embargo Period

There were many concerns about the embargo period and multiple suggestions for alternate embargo periods and approval processes. Taking SLASIAC's advice, the Systemwide Electronic Theses and Dissertations (ETD) Policy Task Force was asked to consider including a two-year embargo period (delaying availability of a thesis or dissertation in an open access repository for up to two years after completion), with the possibility of an extension. The initial draft policy circulated during the first systemwide review included language allowing for up to a two-year embargo period with the possibility of an extension upon "compelling circumstances," with the Dean of the Graduate Division having the authority to grant the extension. Any appeals would go to the local Graduate Council.

Numerous commenters called for an extended embargo period, citing that the two-year period with a high standard for renewal could harm a graduate student's ability to publish as part of an academic career, particularly in the humanities and social sciences. Additionally, it was pointed out that some publishers are reluctant to publish manuscripts from dissertations available in an open access repository.

Many of those responding suggested a five- or six-year embargo and pointed to some current campus policies that allow for such an extended period. Appendix A contains current policy at the ten campuses. The majority of campuses have in place a two-year embargo provision with the possibility of an extension – the two outliers include a campus that allows for a one year embargo (San Francisco) and another that allows up to a six-year embargo (Irvine). Please refer to the attached Appendix to review existing policies and practices at the campuses.

In recognition of existing campus policies and practices, the Presidential draft policy has been revised to include language that allows up to a two-year embargo initially, with the possibility for additional renewals of up to two years each. The updated policy also makes an extended embargo a more routine administrative action, as described below.

Approval of Extended Embargo Period

The revised draft policy clarifies that a graduate dean (or delegee) may extend the embargo for additional two-year periods upon receiving a letter of request from the dissertation chair or other appropriate authority overseeing the thesis or dissertation at issue, such as a Principal Investigator (PI). Previously, the policy authorized graduate deans to grant embargoes of longer than two years "upon compelling circumstances" or embargoes requested after filing. Commenters pointed out that language regarding "compelling circumstances" was unclear. The revised draft policy now clarifies how requests for embargo extensions shall be made and creates a consistent process for all campuses.

Opt In and Opt Out Provisions

Some respondents noted that graduate students should be allowed to decide how they want their work to be disseminated – to opt in or to opt out of electronic open access publication for their theses and dissertations. The requirement in draft policy that the works be publically available remains in line with current campus policies on theses and dissertations.

Timing of First Systemwide Review

Many respondents expressed concerns about the timing of the first systemwide review. Others were concerned that graduate students were not uniformly aware of the policy review. During the first systemwide review, the review period was extended by a month to accommodate these concerns. In addition, during this second systemwide review, we will ensure that graduate students receive this notice so that they have ample opportunity for comment.

Campus Policies

This revised draft policy also includes new language to recognize related campus policies. A summary of campus policies and practices can be found in the attached Appendix A.

Systemwide Review Process

Systemwide Review is a public review distributed to the University leaders requesting that they inform the general University community, affected employees, and unions' membership about policy proposals. Systemwide Review also includes a mandatory full Senate review for at least 90 days.

All employees—faculty, academic appointees, student employees, administrators, and staff—should be afforded the opportunity to review and comment on the draft new policy, available online at: <http://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/policies-under-review/index.html>. Note that Academic Affairs staff will ensure that graduate students and graduate student bodies have an opportunity to review the proposed policy.

Review materials include FAQs as well as the summary of related campus policies on theses and dissertations.

Attached as well is a Model Communication that may be used to inform non-exclusively represented employees affected by these proposals. Our colleagues in UCOP Labor Relations will inform the collective bargaining units by way of their usual processes.

Please submit comments and feedback to the enclosed policy by April 10, 2019 to ADV-VPCARLSON-SA@ucop.edu (email address is not case-sensitive).

Questions may be directed to Patricia Osorio-O'Dea at Patricia.Osorio-Odea@ucop.edu or 510-587-6147. Thank you for your attention and feedback on this revised draft of the new Presidential Policy.

Sincerely,



Michael T. Brown, Ph.D.
Provost and
Executive Vice President for Academic Affairs

Attachments

- cc: President Napolitano
- Executive Vice Chancellors/Provosts
- President's Advisory Group
- Executive Vice President and Chief of Staff Nava

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Senior Vice President Bustamante
Vice President Duckett
Vice President Ellis
Vice President Holmes-Sullivan
Vice Provost Carlson
Vice Provost Gullatt
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Deputy General Counsel Woodall
Executive Director Baxter
Executive Director Chester
Executive Director Jennings
Executive Director Peterson
Academic Personnel Directors
Chief of Staff and Director Henderson
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Director Grant
Director Lee
Director Osorio-O'Dea
Manager Donnelly
SLASIAC members
Systemwide ETD Policy Task Force