



# Student Government

UNIVERSITY OF COLORADO **BOULDER**

## University of Colorado Student Government Legislative Council

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79 LCR 04 — Open Access

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### **A Resolution to Develop and Adopt an Open Access Policy Framework**

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#### **Resolution History**

CU-Boulder is a world-class research institution that has articulated a fundamental mission of supporting its students and faculty in their scholarship<sup>1</sup>; this commitment means providing access to relevant, cutting-edge peer-reviewed publications and data. In service of this mission, CU-Boulder itself has taken steps to improve the reach, accessibility, and popularity of academic publications coming out of CU-Boulder. Also in this service, the United Government of Graduate Students (UGGS) and the Boulder Faculty Assembly (BFA) have encouraged CU-Boulder and its researchers to become educated about and to seriously consider providing Open Access to their publishing.

Open Access (OA) has been summarized as “free, immediate, online access to research articles with full reuse rights”<sup>2</sup> and is an alternative to the traditional closed, subscription-based system of scholarly communication. The Open Access model allows researchers to ensure that their work can be read by as many people as possible without charge and that authors retain the right to reuse and distribute their work without sanction. Conversely, it ensures that researchers and students can access the most recent and influential publications and datasets and to reproduce and elaborate on their content.

The social mission of research, to further the progress and knowledge of all of humanity, is itself reason enough to seek the broadest possible dissemination of published findings. It is also true that authors themselves would benefit from the wider audience, as they would ultimately be cited more and their work will lead more novel insights and interpretations, advancing the pursuit of knowledge. These broader aspirations are justifiable given the public and economic benefits that

<sup>1</sup> <http://www.colorado.edu/flagship2030/>

<sup>2</sup> <http://www.phdcomics.com/comics.php?f=1533>

can come from essentially free access to academic research; in 2013 a test for pancreatic cancer was developed by a 16 year old high school student that is “26,667 times cheaper, 168 times faster, and 400 times more sensitive than the current test.”<sup>3</sup> The student did the research using “free online articles ‘religiously’”<sup>4</sup> and, after purchasing hundreds of dollars worth of articles, by asking his mother to drive him to the local university library, the only place he could read (some) articles for free.

Despite the benefits and the low costs of operating and maintaining an Open Access platform, support for Open Access has, until recently, been tentative. This arose primarily out of uncertainty regarding the ability to continue to publish in prestigious journals and produce commercial versions of creative work. However, Open Access policies which address these concerns have been implemented with increasing frequency at universities public and private, large and small. These include Oberlin<sup>5</sup>, Harvard<sup>6</sup>, MIT<sup>7</sup>, University of Oregon<sup>8</sup>, Oregon State University<sup>9</sup>, University of Kansas<sup>10</sup>, Georgia Tech<sup>11</sup>, Utah State<sup>12</sup>, and the University of California<sup>13</sup> system including UC Berkeley, UC Santa Barbara, and UCLA. All have secured the right of authors to choose where they publish; the simplest Open Access policies allow authors to opt-out of the policy with a signature (about 5 percent of articles are opted-out at institutions with Open Access policies<sup>14</sup>). And, thus far, publishers have not retaliated against authors for reserving the right to deposit copies of articles in an open repository. If anything, a publisher will generally ask either that a pre-publication draft be deposited rather than the final published version, and/or that the work not be made available freely until a period after publication.

As the broad adoption of Open Access policies would suggest, the Open Access movement has rapidly matured in recent years. So much so that in February of 2013 the Executive Office of the President of the United States issued a mandate<sup>15</sup> that all Federal Agencies with research budgets over \$100 million provide free access to studies and data supported by the Agency within one year of publication. The House and Senate have also introduced the bipartisan Fair Access to Science and Technology Research Act of 2013 (FASTR Act of 2013)<sup>16</sup>, which would allow for computational analysis and reuse of data, shorten the Open Access deadline to six months, and streamline and oversee the Open Access policies of the disparate Agencies. As CU-Boulder is home to copious amounts of Federally funded research, these policies are applicable to CU-Boulder faculty, researchers, and graduate and undergraduate students directly.

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<sup>3</sup> <http://www.sparc.arl.org/media/16-year-old-touts-role-of-open-access-in-breakthro.shtml>

<sup>4</sup> Ibid

<sup>5</sup> <http://oberlin.edu/library/programs/openaccess/>

<sup>6</sup> <https://osc.hul.harvard.edu/policies>

<sup>7</sup> <http://libraries.mit.edu/scholarly/mit-open-access/>

<sup>8</sup> <http://library.uoregon.edu/scis/sc/uopenaccess.html>

<sup>9</sup> <http://cdss.library.oregonstate.edu/open-access>

<sup>10</sup> <http://openaccess.ku.edu/resources>

<sup>11</sup> [http://library.gatech.edu/scdc/OA\\_policy\\_draft?destination=node/30](http://library.gatech.edu/scdc/OA_policy_draft?destination=node/30)

<sup>12</sup> <http://digitalcommons.usu.edu/oadc/1/>

<sup>13</sup> <http://osc.universityofcalifornia.edu/openaccesspolicy/>

<sup>14</sup> <http://www.californiahealthline.org/articles/2013/8/6/uc-system-to-offer-access-to-academic-research-this-fall>

<sup>15</sup> <http://www.whitehouse.gov/blog/2013/02/22/expanding-public-access-results-federally-funded-research>

<sup>16</sup> [http://cyber.law.harvard.edu/hoap/Notes\\_on\\_the\\_Fair\\_Access\\_to\\_Science\\_and\\_Technology\\_Research\\_Act](http://cyber.law.harvard.edu/hoap/Notes_on_the_Fair_Access_to_Science_and_Technology_Research_Act)

In addition to the broader public access implications of Open Access, problems of cost are escalating in the existing publication and subscription model. In 2011, the Libraries spent \$7.5 million on serial subscriptions<sup>17</sup>, and in 2012 this number increased to \$7.7 million<sup>18</sup>. It has increased in 2013 in line with past years inflation. According to the Libraries:

The cost of journal subscriptions has increased by approximately 14% over the past 7 years during which the Libraries' base support increased by 5.7%. As a result, the libraries have had to cancel subscriptions, by 10% in FY 2006 and by 5% in FY 2010. By FY2016, if the acquisitions budget remains flat, journals and databases will comprise 103% of the budget if left unchecked.<sup>19</sup>

CU-Boulder's Libraries are not alone. According to *Library Journal*, a trade-group publication for librarians in print since 1876, "Data from the Association of Research Libraries (ARL) shows that median total expenditures for ARL libraries dropped slightly from 2011 to 2012 (\$24,052,161 to \$24,000,677). Since the ARL members are a mixture of public and private organizations, increases in expenditures by the private universities helped offset declines in spending from the public universities and the overall result was a slight decrease in expenditures."<sup>20</sup> This has occurred at a time when state contributions to higher education have remained constant or declined; 16 states reduced allocations for higher education by a total of just over \$1 billion in 2012.<sup>21</sup> CU-Boulder's state allocation has fluctuated over the past decade between 8.5% the overall budget in FY2008-2009 to a historic low in FY2012-2013 of 4.2%.<sup>22</sup>

It is therefore clear that the current model of academic publishing and subscription is unsustainable, and that alternative means of research publication and access will be needed if CU-Boulder is to retain its status as a world class research institution capable of innovating at the boundaries of humanity's collective knowledge. Open Access is one such alternative model, and one that is proving very popular among academics across the disciplines;<sup>23</sup> in 2012, the Open Access market was estimated at \$172 million by the analytics firm Outsell, and Open Access options are currently offered by all the major publishers, e.g. Springer's Biomed Central, Wiley Open Access, and SAGE Open.<sup>24</sup> Given this growing market, the major business, technological, and policy infrastructures needed to support Open Access are beginning to take shape across the country.

Thus, CU-Boulder, and especially the University Libraries, has taken an active interest in Open Access. These first steps have included a collaboration between the Libraries and a number of other Colorado institutions of higher education, culminating in the existing digital repository aimed at providing Open Access for the output of the participating campuses. Additionally, the University Libraries have instituted an Open Access Fund from a one-time grant to defray the

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<sup>17</sup> [http://www.dailycamera.com/cu-news/ci\\_20556453/cu-leaders-back-bill-that-would-increase-access](http://www.dailycamera.com/cu-news/ci_20556453/cu-leaders-back-bill-that-would-increase-access)

<sup>18</sup> [http://www.coloradodaily.com/your-take/ci\\_21792769/letter-open-access-would-cut-costs-at-cu](http://www.coloradodaily.com/your-take/ci_21792769/letter-open-access-would-cut-costs-at-cu)

<sup>19</sup> Personal Conversation

<sup>20</sup> <http://search.ebscohost.com/login.aspx?direct=true&db=lih&AN=87078730>

<sup>21</sup> *Ibid.*

<sup>22</sup> <http://www.colorado.edu/pba/budget/quickfacts/index.html>

<sup>23</sup> <http://search.ebscohost.com/login.aspx?direct=true&db=lih&AN=87078730>

<sup>24</sup> *Ibid.*

upfront costs of Open Access publication that is self-financed and independent of the University's General Fund allocation.<sup>25</sup> Finally, CU-Boulder is involved with numerous Open Access advocacy and research groups, including the Right to Research Coalition<sup>26</sup>, the Scholarly Publishing and Academic Resources Coalition<sup>27</sup>, and the Coalition of Open Access Policy Institutions<sup>28</sup>.

With these disparate and evolving efforts, it is sensible to develop a lasting Strategic Plan for Open Access which unites the various efforts across campus under the guidance of a policy framework developed with input from administration, faculty, and students. It is in this spirit of institutional innovation, collaboration, and consistency that Legislative Council introduces this resolution. CUSG hopes that it serves as a catalyst for productive change on campus and propels CU-Boulder into a leadership role in advancing Open Access at research universities across the globe.

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### Resolution Summary

In order to ensure that CU-Boulder continues to support Open Access across its operations, and in order to promote awareness of Open Access resources here at CU-Boulder and elsewhere, this resolution seeks to address policy gaps which exist at CU-Boulder related to Open Access. Specifically, this resolution urges the continuation of the CU Open Access Initiative as articulated by the BFA and UGGS; asks that CU-Boulder's Office of Government Relations support and lobby for the FASTR Act of 2013; and invites various branches of the CU-Boulder administration to convene a working group with various student and library representatives to develop a policy framework that would result in (1) the automatic reservation of the right of all authors affiliated with the University to deposit articles in an open, public repository within one year of publication, and (2) sustainable financial and material support of the University Library's Open Access Fund and repository.

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**Whereas**, CU-Boulder is an institution with significant investments in research and innovation, and will benefit from increased capacities for integrated, trans-disciplinary research and increased dissemination of its own research output; and,

**Whereas**, CU-Boulder recognizes in its Flagship 2030 that the open presentation, discussion, and sharing of innovative research advances the interests of the scholarly community, the broader public, and the student body<sup>29</sup>; and,

**Whereas**, the costs of scholarly journal subscriptions are rising at rates greater than the rate of inflation<sup>30</sup> and higher than the rate of University Library budget increases<sup>31</sup>; and,

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<sup>25</sup> <http://ucblibraries.colorado.edu/scholarlycommunications/oa/oafund.htm>

<sup>26</sup> <http://www.righttoresearch.org/about/members/index.shtml>

<sup>27</sup> <http://www.sparc.arl.org/member/current-members/index.shtml>

<sup>28</sup> <http://www.sparc.arl.org/about/COAPI/>

<sup>29</sup> <http://www.colorado.edu/flagship2030/>



**Whereas**, the closed, subscription model of academic publishing stifles trans-disciplinary research and innovation by increasing the costs of accessing scientific knowledge, sometimes prohibitively, to the point where research at CU-Boulder is hindered when collaborating institutions cannot access publications; and,

**Whereas**, equally rigorous and less costly “Open Access” publication models make research articles directly and freely available and reusable to students, researchers, and the general public; and,

**Whereas**, the Office of Science and Technology Policy has promulgated an executive memo in support of Open Access mandating that Federal agencies with research budgets exceeding \$100 million “develop plans to make the published results of federally funded research freely available to the public within one year of publication and requiring researchers to better account for and manage the digital data resulting from federally funded scientific research”<sup>32</sup>; and,

**Whereas**, the US House and Senate have put forward bipartisan legislation in support of Open Access titled the Fair Access to Science and Technology Research Act of 2013 (FASTR Act of 2013), which would require that all studies and digital data funded “in whole or in part” by federal agencies with budgets exceeding \$100 million be deposited in an Open Access repository within six months of their publication, that productive reuse rights of the public and researchers be protected, and that the various agencies streamline their Open Access policies<sup>33</sup>; and,

**Whereas**, UGGS and CUSG are members of Right to Research Coalition<sup>34</sup>, an international coalition representing 7 million students mobilizing around Open Access, and the University Libraries are a member of SPARC<sup>35</sup>, the Scholarly Publishing and Academic Resources Coalition, which works to correct imbalances in the scholarly publishing system; and,

**Whereas**, CU-Boulder is a member of the Coalition of Open Access Policy Institutions (COAPI), a group of North American universities including Private Ivys, Public Ivys, Liberal Arts Colleges and Technical Institutes “with established faculty open access policies and those in the process of developing such policies”<sup>36</sup>; and,

**Whereas**, COAPI has developed a wiki of “best evolving practices”<sup>37</sup> that have yet to be fully implemented at CU-Boulder; unlike other members of COAPI, CU-Boulder does not have an open access policy that automatically reserves the right to deposit articles in public repositories for all faculty<sup>38</sup>; and,

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<sup>30</sup> <http://allenpress.com/resources/education/jps>

<sup>31</sup> Letter to CU-Boulder Deans and Department Chairs from James F. Williams, II, Dean of Libraries, and Robert Parson, Chair, BFA Library Committee

<sup>32</sup> <http://www.whitehouse.gov/blog/2013/02/22/expanding-public-access-results-federally-funded-research>

<sup>33</sup> [http://cyber.law.harvard.edu/hoap/Notes\\_on\\_the\\_Fair\\_Access\\_to\\_Science\\_and\\_Technology\\_Research\\_Act](http://cyber.law.harvard.edu/hoap/Notes_on_the_Fair_Access_to_Science_and_Technology_Research_Act)

<sup>34</sup> <http://www.righttoresearch.org/about/members/index.shtml>

<sup>35</sup> <http://www.sparc.arl.org/member/current-members/index.shtml>

<sup>36</sup> <http://www.sparc.arl.org/about/COAPI/>

<sup>37</sup> [http://cyber.law.harvard.edu/hoap/Good\\_practices\\_for\\_university\\_open-access\\_policies](http://cyber.law.harvard.edu/hoap/Good_practices_for_university_open-access_policies)

<sup>38</sup> <http://libpress.colorado.edu/?p=2383>

**Whereas**, the BFA has passed Resolution 030713 calling for an Open Access Initiative and stating in part that, “University Libraries is engaged in open access education efforts at CU-Boulder, has launched a fund to help CU-Boulder faculty and students publish in open access journals, and is developing an electronic repository for faculty members and students to use as an open access option for their research and publications”<sup>39</sup>; and,

**Whereas**, the effective, lasting management of Open Access requires not only interim funding and a physical repository but also a policy framework developed with input from administration, faculty, and students;

THEREFORE BE IT RESOLVED by the Legislative Council of the University of Colorado Boulder Student Government that:

### **Section 1: Definitions**

**A. Open Access:** for the purposes of this resolution, an “Open Access” publication shall be defined as any academic, peer reviewed journal which does not charge a subscription or fee for the public to access its content online or in physical form and which allows full reuse of its content. Open Access may include, but is not limited to, journals which are for-profit, non-profit, and university and trade group affiliated. This definition also includes journals which are published solely online. Journals which are not peer reviewed are excluded from this definition. Open Access also encompasses the practice of depositing copies of articles published in both traditional and Open Access journals into public repositories. Depending on publisher agreements and other factors, these may be pre-peer reviewed, post-peer reviewed, or final published versions of articles.

**Section 2:** CUSG supports efforts to expand opportunities for faculty, researchers, and graduate students to publish Open Access content and the CU Open Access Initiative broadly. The following recommendations are drawn from BFA Resolution 030713 and provide a guideline for graduate students, BFA members, and university faculty and staff in this endeavor. The CU Open Access Initiative calls for:

- A. The University Libraries to continue to provide education and information on Open Access through their departments and professional associations.
- B. The University Libraries to continue the development of an Open Access repository, providing advice, technical assistance and electronic tools to help faculty with copyright and publishing questions concerning the use of this repository.
- C. The CU-Boulder faculty and graduate students to become familiar with the business practices of journals and publishers in their disciplines and to consider submitting their work to publishers who offer Open Access Addendums (for examples, see <http://www.arl.org/sparc/author/>).
- D. The CU-Boulder faculty and graduate students to support Open Access publications in their volunteer service as editors, on editorial boards and in article review.

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<sup>39</sup> <http://www.colorado.edu/bfa/MOTRES/BFA-R-030713.pdf>

- E. The CU-Boulder faculty and graduate students to negotiate with their publishers when possible for the right to make versions of their publications available via an open access repository (for example, see <http://scholars.sciencecommons.org/>).

**Section 3:** CUSG encourages the Office of Government Relations to present a letter to all representatives of the Federal congressional delegations in support of the FASTR Act of 2013, in the hopes that this would prevent future administrations from reversing Open Access policies. CSUG further encourages OGR to invite federal legislators to speak with OGR, BFA, UGGS, CUSG, and/or other campus resources, such as representatives of the University Libraries, about FASTR and other Open Access legislation.

**Section 4:** CUSG calls upon CU-Boulder to implement a policy which (1) automatically reserves the right for all authors affiliated with the University to deposit articles in a public repositories within one year of publication and (2) sustainably supports the University Library’s Open Access Fund and repository. To accomplish this, CUSG invites UGGS, BFA, the Office of the Provost and Executive Vice Chancellor for Academic Affairs, the Office of the Vice Chancellor for Research, the Office of the Chancellor, and the Dean of the University Libraries to form a working group to develop a Strategic Plan that outlines how the University will (a) ensure that all authors affiliated with the University automatically retain the right to deposit their work in a public repository within one year of publication by January 2015, and (b) sustainably support the University Library’s Open Access Fund and repository, and to issue no later than August 2014:

- A. A Process Report describing the process of developing the Strategic Plan.
- B. A five year Strategic Plan of implementation for any programs, rules, and other activities or infrastructures in support of ensuring that (a) all authors affiliated with the University automatically retain the right to deposit their work in a public repository within one year of publication and (b) the University Library’s Open Access Fund and repository will be sustainably funded by January 2015.


**Section 5:** The Process Report and Strategic Plan in Section 4 must be approved by a majority of members of BFA, UGGS and CUSG before the policies outlined in the Strategic Plan can be put into effect.

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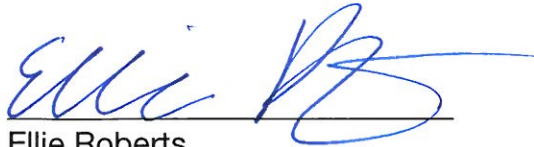
**Vote Count**

<b>08/29/2013</b>	<b>Passed on 1<sup>st</sup> reading</b>	<b>Acclamation</b>
<b>09/05/2013</b>	<b>Amended to add sponsors</b>	
<b>09/05/2013</b>	<b>Passed on 2<sup>nd</sup> reading</b>	<b>Acclamation</b>

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