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The University of California's Split with Elsevier

by Caroline Winter | 3 April 2019 | English, Observations, Observations and Responses | 0 comments



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At a glance:

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On February 28, 2019, the University of California (UC) announced that it would not renew its subscriptions to Elsevier journals. UC is a public research university in California, USA, with 10 campuses across the state. **The UC system** has over 68,000 faculty and other academic employees and produces nearly 10% of all the research outputs in the United States (Hiltzik 2019). **Elsevier**, meanwhile, is the world's largest scholarly publisher, responsible for about 18% of all the peer-reviewed scholarly articles worldwide (Hiltzik 2019). Because of the size and influence of both parties involved, this decision has significant implications for the future of scholarly publishing and for the open access (OA) movement worldwide.

Background

UC states that its decision not to renew its Elsevier subscription was driven by budgetary concerns and by its institutional principles. UC voiced its commitment to open access officially in 2015, after supporting it unofficially for many years, and has been working to transform its scholarly communication model since (UCOLASC 2019). As part of this transformation, UC is negotiating with commercial scholarly publishers as each of its contracts come up for renewal (UCOSCa n.d.).

In April 2018, UC's University Committee on Library and Scholarly Communication released a *Declaration of Rights and Principles to Transform Scholarly Communication*, comprising 18 principles to guide future negotiations with commercial scholarly publishers. The principles call for immediate open access and open data and metadata, as well as transparency about the labour contributed by UC researchers and subscription pricing and copyright retention (UCOLASC 2019). This Declaration is the latest instance of faculty-driven transformation at UC: for example, UC Berkeley faculty member Michael Eisen is one of the founding members of PLOS, and faculty at UC San Francisco and the UC system called for publisher boycotts in 2003 and 2010 due to rising subscription costs (PLOS n.d.; SLASAC 2018).

In June 2018, the UC Systemwide Library and Scholarly Information Advisory Committee (SLASAC) released *Negotiating Journal Agreements at UC: A Call to Action*. The call to action outlines “a combined strategy that places the need to reduce the University's expenditures for academic journal subscriptions in the service of the larger goal of transforming journal publishing to open access” (1). Acknowledging that this strategy will cause “short-term pain,” the Committee notes the library's ability to support subscription fees has reached “a tipping point,” and that “even if we were able to maintain all of our current subscriptions, the long-term prospects for beneficial change outweigh the merits of attempting to cling to an untenable and undesirable status quo” (1). This call to action declares itself part of a larger movement within UC to uphold its commitment to OA, one that includes institutional OA policies, infrastructure to support OA via UC's eScholarship repository, the decision of six UC campuses to become signatories to OA2020, the Declaration, and the UC Libraries' report *Pathways to Open Access*.

The Negotiations

UC and Elsevier were in negotiations since summer 2018. UC's Office of the President states that its position was driven by the university's mission and that its primary goal for the negotiations was “securing universal open access to UC research while containing the rapidly escalating costs associated with for-profit journals” (2019).

UC proposed what is often called a “read and publish” agreement in Europe, in which article processing charges (APCs) and subscription fees are integrated, and publishing open access has no net additional cost (UCOSCa n.d.). Under these terms, publications by UC researchers would be open access by default, unless researchers opted out, and APCs would be reduced and paid by a combination of library and grant funding for funded researchers; UC would pay the entire fee for unfunded researchers (UCOSCa n.d.). Elsevier was open to negotiation but would not meet these terms, insisting on article-processing charges in addition to regular subscription fees (UC Office of the President 2019).

UC found several of Elsevier's terms unacceptable. In addition to paying APCs that would potentially cost an additional USD\$30 million (UCOSCa n.d.), they would also lose permanent access to numerous journals and face limitations on the venues in which UC authors could publish open access. Elsevier's terms would also prevent UC from supporting researchers by paying their APCs (UCOSCa n.d.).

The result of UC's decision is that its library users will not have access to resources published by Elsevier in 2019. A resource published by the UC Office of Scholarly Communication clarifies that UC holds permanent access rights to about 95% of the Elsevier resources that it previously subscribed to, so researchers will continue to have access to most articles published before January 1, 2019 (2019). It encourages researchers who need access to new Elsevier publications to seek them in open access venues, including OA journals and institutional repositories, and notes that these and other materials that

UC does not have access to can be requested through interlibrary loans (UCOSC 2019). Finally, it suggests searching for material through academic networking sites such as [Humanities Commons](#) and [ResearchGate](#), by contacting authors directly, and by requesting material on Twitter using the hashtag [#ICanHazPDF](#) (UCOSCb n.d.).

Reaction to the Split

[CRKN and CARL have released a statement](#) in support of UC's actions, noting the importance of support from UC's libraries, academic senate, and faculty to the decision. The statement reinforces the commitment of both organizations to championing open access: "Through sustainable licensing and open access agreements, partnerships, projects and joint strategies, CARL and CRKN look to collaboratively develop a strengthened Canadian approach to open access" (Ross and Haigh 2019). [The University of Guelph](#) has similarly taken a stand in support of UC, noting that UC is modelling how other institutions can create meaningful change in the publishing industry (2019).

The split between UC and Elsevier has received attention in the mainstream media and in industry publications as well. In the US, coverage in *The LA Times*, *The Atlantic*, and *Vox* emphasizes the "basic absurdity of the subscription model" and its implications for taxpayers; Brian Resnick states that "in the US, taxpayers spend \$140 billion every year supporting research they can't easily access" (2019). All three pieces note that institutions in Europe have also cancelled subscriptions with Elsevier over issues of access and cost (Hiltzik, Resnick, Zhang).

In the Canadian press, Kelly Crowe of CBC News calls the negotiation "a clash of titans," and notes that, like UC, many Canadian institutions are seeking ways to reduce spending on subscriptions and promote OA (2019). Crowe notes that, in 2018, Canadian universities spent \$300 million on journal subscriptions, leaving little space in library budgets for monographs and books, a situation that disproportionately affects book-driven disciplines, including the humanities (2019). This spending is also a problem, as Vincent Larivière puts it, because "the money that we're spending on these for-profit publishers is money that does not stay in the research system, that does not stay in the university system and is actually not used to do research" (Crowe 2019).

Not surprisingly, the issue has been covered widely in the academic press, and for the most part positively. *The Chronicle*, for example, highlights the importance of faculty involvement throughout the negotiations and in developing the principles that guided them. Lindsey Ellis notes that "Leverage in the negotiations between Elsevier and the UC system was held by faculty members who published in and edited for the company's journals," and that in December, UCLA asked its faculty in to consider declining review requests for Elsevier's journals as part of UC's negotiation strategy (2019b; 2019a). Writing for *Science*, Fox and Brainard take a more negative tone in describing UC's move as a "boycott," one that "could have significant impacts on scientific communication and the direction of the so-called open access movement, in the United States and beyond" (2019).

Implications for Open Scholarship

UC is just one of the institutions that have cancelled their big deal subscriptions recently. SPARC's [Big Deal Cancellation Tracking](#) resource lists nine such cancellations in 2019 alone across the US and Europe (n.d.). [Finland's FinELib](#) research consortium cancelled its subscriptions with Taylor & Francis, and [the Hungarian EISZ Consortium](#) cancelled its with Elsevier. Most recently, [the Norwegian research consortium UNIT](#) announced on March 12, 2019, that it too was cancelling its subscription with Elsevier (SPARC n.d.). Like UC, these European consortiums cite the need for open access as a matter of principle as well as untenable subscription costs as factors in their decisions.

What sets the UC's decision apart is its clout and the precedent it has set for institutions in North America. Zhang sees it as part of the global movement toward open access, noting that, although academics have for some time been in "open revolt" against Elsevier's business model, "simply walk[ing]

away” from the bargaining table as UC did would have been “unthinkable” just a few years ago (2019).

Many of the North American institutions that have cancelled big deals recently have done so for budgetary reasons, many choosing to subscribe to individual titles instead. In the United States, for example, [Florida State University](#) and Temple University cancelled big deals with Elsevier, the [University of Oklahoma-Norman](#) with Elsevier and Wiley, and [West Virginia University](#) with Elsevier and Springer (SPARC n.d.). Although no Canadian institutions have recently cancelled big deals, several did so in 2016 and 2017, including [Université Laval](#), the University of Calgary, [the Memorial University of Newfoundland](#), and [Université de Montréal](#) (SPARC n.d.). All of these institutions continue to subscribe to selected journals. UC, in contrast, has cancelled its big deal with Elsevier with no indication that they will re-subscribe to individual titles.

Heather Joseph of SPARC says that the impact of the split between UC and Elsevier is “hard to overstate” (Fox and Brainard 2019). Many Canadian stakeholders are following the story carefully because, as Robert Hudson of the Athabasca University Library notes, “what happens in California often sets a trend in the US and Canada” (2019). Similarly, Western University’s Chief Librarian calls UC’s decision “a strong statement in favour of the transformation of the scholarly publishing model to an open-access model, a transformation in scholarly communications that a generation of librarians and scholars have been advocating for.” (Van Brenk 2019).

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