Open Access for Theses and Dissertations

University of California – Policy [Policy Number]

Responsible Officer:	Provost & EVP - Academic Affairs
Responsible Office:	RG - Research & Graduate Studies
Issuance Date:	
Effective Date:	
Last Review Date:	
Scope:	This policy applies to all graduate students who prepare theses or dissertations in a graduate degree program within the University of California system.

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I. POLICY SUMMARY

The University of California ("University") is committed to disseminating research and scholarship conducted at the University as widely as possible. Such commitment encompasses the scholarship generated by the University's graduate students. The University affirms the long-standing tradition that theses and dissertations, which represent significant contributions to the advancement of knowledge and the scholarly record, should be shared with scholars in all disciplines and the general public. To that end, this policyextends the principles of the University's existing open access policies – including the Academic Senate's policy dated July 24, 2013 and the systemwide Presidential policy dated October 23, 2015, and local open access policies already adopted at some University campuses – to theses and dissertations prepared by the University's graduate students at all University locations. This policy requires theses or dissertations prepared at the University to be (1) deposited into an open access

repository, and (2) freely and openly available to the public, subject to a requested delay of access ("embargo") obtained by the student. The policy does not affect students' copyright ownership rights in their theses or dissertations.

II. DEFINITIONS

Embargo is the delay in open access availability of a thesis or dissertation after its completion and deposit in an open access repository.

Graduate students refer to the University's graduate academic and graduate professional students.

Nonexclusive license refers to a limited grant of rights to permit others to use a copyrighted work (e.g., thesis or dissertation) in specified ways, while not preventing copyright owners from exploiting for themselves – or granting to others – the same or other copyright rights.

Open access refers to the free and easy availability of scholarly works on the internet, permitting users to read, download, print, search, or link to the full texts of copyrightable scholarly works for any lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet.

Open access repository refers to any digital archive or platform designed to make scholarly works freely accessible via the internet. The California Digital Library's eScholarship platform is the default repository for this policy.

University refers to The Regents of the University of California, also known as the "University of California."

III. POLICY TEXT

A. Scope

This policy applies to all graduate students who author a thesis or dissertation as part of their University graduate degree requirements and following issuance of this policy. Upon express direction of the graduate student, the open access license in the next paragraph may be delayed for a specified period of time pursuant to Section III.D below. This policy does not affect copyright ownership of any thesis or dissertation.

B. Open Access License Grant

Each graduate student grants to the University a worldwide, nonexclusive license to exercise all relevant rights under copyright – including the reproduction and public display rights – for the purpose of making the student's thesis or dissertation authored at the University freely and publicly available in an open access repository in any medium.

C. Submission of Theses and Dissertations

To assist the University in archiving and openly disseminating theses and dissertations within the scope of this policy, all of the University's graduate students will submit the final version of the student's thesis or dissertation to the University before conferral of the student's graduate degree, regardless of whether an embargo is obtained. Such thesis or dissertation will be made freely and openly available to the public after filing, unless the graduate student obtains an embargo pursuant to Section III.D below.

D. Delay of Open Access / Embargo

Graduate students may delay the date their theses or dissertations become available in an open access repository by specifying the embargo period of up to two years upon filing. A Graduate Dean (or delegee of the Dean) 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) for each two-year embargo extension request. The letter should state the reason for requesting the embargo extension. Examples of circumstances justifying embargo extensions include, among other reasons: (a) a publisher's requirement of an embargo in connection with the publication of a manuscript derived from the thesis or dissertation, or (b) an inability to obtain a patent due to the disclosure of patentable inventions in the thesis or dissertation.

Upon extraordinary circumstances (such as a high legal or safety risk to the graduate student), an indefinite embargo may be granted for as long as such extraordinary circumstances exist pursuant to Section IV below.

IV. COMPLIANCE / RESPONSIBILITIES

A. Authority

The Provost and Executive Vice President for Academic Affairs is the responsible officer for this policy and has the ultimate authority to interpret and implement the policy as well as to develop procedures or other supplementary information. The Deans of the Graduate Division (or delegees of the Deans) for each campus or location are the responsible officers for this policy at the local level. They have the authority to develop local policies, guidelines, and implementation procedures not inconsistent with the systemwide policy. If an existing local policy provides embargo periods of a different length compared to the periods specified above, such local policy's embargo periods may continue to apply.

B. Compliance with the Policy

The Dean of the Graduate Division (or delegee of the Dean) for each campus or location is responsible for local communication, compliance, and enforcement of this policy. The

Deans (or their delegees) are authorized to grant: (1) embargoes requested post-filing of the thesis or dissertation; and (2) embargo extensions and an indefinite embargo, as set forth in Section III.D. above.

Each campus or location is responsible for providing theses or dissertations to the California Digital Library ("CDL"), and CDL is responsible for maintaining the open access repository and ensuring that the theses and dissertations within the repository are freely and openly available to the public. The Deans (or their delegees) will work with CDL, the Office of Scholarly Communication, and/or the University Librarians to support compliance with this policy and to obtain information to assess compliance.

V. PROCEDURES

Not applicable.

VI. RELATED INFORMATION

- UC's Presidential Policy on Open Access (Oct. 23, 2015)
- UC's Academic Senate Policy on Open Access (July 24, 2013)
- UC Open Access Policy website
- UC's Presidential Policy on Copyright Ownership (Aug 19, 1992)
- UC's "Copyright" website

VII. FREQUENTLY ASKED QUESTIONS

UC's Office of Scholarly Communication Open Access Policy FAQ

VIII. REVISION HISTORY

N/A