

Chair of the Faculty

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February 25, 2019

TO: Joseph Bristow, Chair
Academic Senate

CC: Linda Mohr, CAO
Academic Senate

FR: Lily Chen-Hafteck, Chair
Faculty Executive Committee
The Herb Alpert School of Music



RE: School of Music Response to UC Open Access for Theses and Dissertations Policy

The Herb Alpert School of Music FEC considered the memo on proposed open access policy for theses and dissertations at its meeting on February 8, 2019. Although we are in general sympathetic to the idea of open access to work produced in the University of California, we have serious reservations about extending this policy, as a default expectation, to student work. The following points have been made, each of which was acceded to by a consensus of the FEC membership:

1. Theses and dissertations are not equivalent to books and articles by faculty, most importantly because they are not necessarily written by University of California employees. Even when they are, that employment does not entail the writing of theses and dissertations, which are instead written in their capacity as students, not employees. Although thesis and dissertation work may be facilitated by grant funding in the sciences, that is much less typical of work in the humanities and the arts. Graduate student training, funding, and employment at UC is not contingent on publishing or making public their research findings.

There are three other important distinctions:

2. Theses and dissertations are in many respects works in progress. Their aims are not the same as those of articles and books. In particular, many students' careers, especially in the humanities and some social sciences, will depend on their turning their theses or dissertations into published books or articles. If they are made widely available as theses and dissertations, it may be much more difficult to find a publisher for the later form that work will take. It is common for the maturing of a humanities or social science dissertation into a monograph to take five or six years. So two-year embargoes are not helpful.

3. In many theses and dissertations, particularly those based on ethnographic research, it is deemed important to present all evidence as fully as possible. While confidentiality will of course be maintained as required by the IRB and often research subjects themselves, when including interviews and other information from at-risk populations (for example, those with repressive governments), there is occasionally a genuine risk to those populations, even when identities are disguised. We believe that on the rare occasion when a dissertation author believes it is ethically preferable not to make the dissertation widely available, either permanently or for a fixed number of years, that author should be allowed to decide whether or not to permit open access, rather than having the decision made for them by institutional authorities who cannot be as knowledgeable as the author is about a given situation.
4. Likewise, standards for collecting permissions for reproduced material are different for theses and dissertations, which as unpublished student work, are more protected by fair use understandings. Getting permission to reproduce copyrighted images and material is both time-consuming and potentially quite expensive; we therefore routinely approve dissertations that include such material as part of their evidence and argument, and do not require permissions. If theses and dissertations containing such material are made available through open access, such permissions would have to be obtained or the students and the University would be possibly liable for copyright infringement.

For these reasons, we believe students should be able to opt out completely from open access to their theses and dissertations, and that embargo extensions should be much easier to acquire than UCLA's proposed policy would allow.

Cc: Judith L. Smith, Dean, School of Music
Raymond Knapp, Academic Associate Dean, School of Music