

TO: SUNY Library Directors & Deans

Curtis L. Kendrick
From: Curtis Kendrick, Dean, Binghamton University Libraries

SUBJ: ScienceDirect Negotiations

DATE: September 9, 2019

I am writing to update you regarding progress in our negotiations with Elsevier for the ScienceDirect product. As you may recall, our current license expires at the end of December 2019. Since my last correspondence in May we have had two negotiating sessions with the firm, received their initial proposal and had one conference call exploring possibilities for partnerships between SUNY and Elsevier.

Our June negotiating session opened with a discussion about partnerships. Understanding that SUNY represents a comprehensive higher education system with local connections to K-12 education systems across New York State, partnering with us may represent an opportunity for Elsevier to build goodwill within the library community. Elsevier, and their parent company RELX, might provide global opportunities for our students for internships and careers, open potential research avenues for our faculty and provide our campuses with access to cutting edge tools, products and services. It was made explicit that from our perspective any meaningful conversation about partnership for us has to begin with a discussion of substantive pricing relief on the licensing side.

The June 3 meeting also provided an opportunity for us to remind the company of the kinds of financial constraints under which we operate, in juxtaposition to their own cash surplus environment. We reiterated our concern about the significantly higher cost per FTE we calculate it costs SUNY for ScienceDirect compared to what CUNY is charged (we pay 250% more per FTE). We noted our perspective that in spite of their stated policy in actuality their practices related to Open Access appear to result in double dipping, that is, earning a revenue stream from subscriptions paid by libraries as well as article processing charges paid by authors for the same journal. At the conclusion of the meeting Elsevier agreed to provide us with a proposal by the end of the month.

Our committee received and reviewed a proposal from Elsevier in advance of our July negotiating session with them in Albany. The proposal had three variations each with three- and five- year renewal options. The variations were:

License same as we have now

License with more limited post termination archival rights

License with discounted article-processing charges for our faculty authors

Based on the pricing put forward in their proposal we concluded that Elsevier had not fully understood our financial requirements for this round of negotiations. We requested that they provide us with a revised proposal, and in return agreed to have a one-hour conference call to discuss in more detail the idea about partnerships. Elsevier's point was that they needed to have something more focused to bring to their senior management.

In August our group convened for a call specifically to discuss partnership ideas. Our position is that while we can negotiate in good faith about partnerships our ability to commit to anything substantive in this time frame is constrained, given the nature of our system and the idiosyncrasies of SUNY's decision-making processes. Subsequent to this call we have requested that Elsevier provide us with a revised proposal by the end of September so we have time to review in advance of the October SUNY Libraries Consortium meeting. We are also investigating alternative methods of access. OLIS has been working with SUNY Procurement and a few campuses that have experience working with vendors who allow purchasing at the article level. They hope to deliver an RFP within the next couple of weeks. There will be an update at the October SLC meeting

Our negotiating team members are listed below; let one of us know if you have any questions or concerns. Please continue to get the word out about our progress with the negotiations and the potential implications for each of your campuses. We do plan to schedule another series of town hall meetings as the semester progresses, but more on that to come.

Thank you.

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