

REGULATION

by the Rector of the Krakow University of Economics

No.R.0211.9.2024

of 10 April 2024

on the introduction of Open Access Policy regarding scientific publications and research data, developed by research staff, PhD candidates, and students of the Krakow University of Economics

Pursuant to Article 23 Section 1 of the Acts of 20 July 2018 – Acts on Higher Education and Science (Consolidated text: Journal of Laws of 2023 item 742, as amended), in order to implement the Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013, Commission Recommendation (EU) 2018/790 of 25 April 2018 on access to and preservation of scientific information (Official Journal UE L 134 of 31 May 2018), guidelines of the Polish Ministry of Science and Higher Education contained in the document “Kierunki rozwoju otwartego dostępu do publikacji i wyników badań naukowych w Polsce” [Directions for the development of open access to publications and scientific research results in Poland], recommendations of the Polish Ministry of Education and Science contained in the document “Polityka Naukowa Państwa” [Research Policy of the State], as well as § 16 Section 1 and Section 7 item 2 of the By-laws of the Krakow University of Economics, it is ordered as follows:

§1

Open Access Policy regarding scientific publications and research data developed by the employees, doctoral candidates, and students of the Krakow University of Economics is hereby introduced (hereinafter, the “Policy”), which is attached as Appendix No. 1 to this Regulation.

§2

1. Rector of the Krakow University of Economics appoints the Representative for Open Access Policy to scientific publications and research data.
2. Tasks and responsibilities of the Rector’s Representative for Open Access Policy to scientific publications and research data include:
 - a) informing about the Policy;
 - b) coordinating work pertaining to the creation, maintenance, and development of the open access infrastructure at the Krakow University of Economics;
 - c) consulting/advising in the area of best practice in accordance with the Policy;
 - d) educating the recipients of the Policy in the area of open access to publications;
 - e) monitoring the implementation of the Policy, and reporting the results, on a yearly basis, to the Rector of the Krakow University of Economics.

§3

The present Regulation comes into force on the day of its signing.

RECTOR

Dr Habil. Stanisław Mazur,
Associate Professor

Appendix No. 1

to the Regulation by the Rector of the Krakow University of Economics No. R.0211.9.2024 of 10 April 2024 on introducing the Open Access Policy regarding scientific publications and research data, developed by research staff, PhD candidates, and students of the Krakow University of Economics

Open Access Policy regarding scientific publications and research data, developed by research staff, PhD candidates, and students of the Krakow University of Economics

With the goal of fully exploiting the opportunities that development of digital technologies presents to the scientific community, and wishing to provide everyone with access to knowledge without restrictions, this Open Access Policy regarding scientific publications and research data developed by the employees, doctoral candidates, and students of the Krakow University of Economics is hereby introduced (hereinafter referred to as the "Policy").

§ 1 General Provisions

1. Hereby, the rights and obligations of employees, doctoral candidates, and students of the Krakow University Economics (hereinafter referred to as KUE) are established, in the scope of providing and ensuring open access to scientific publications and research data produced by these persons in connection with their employment or education at the KUE.
2. The rights and obligations, listed in Section 1, concern also the persons with whom the KUE entered into agreements, if these agreements so specify.
3. The Open Access Policy does not infringe upon the provisions of the Regulations of managing intellectual and industrial property rights, and the principle of commercialisation at the Krakow University of Economics.
4. In the present Policy, definitions of terms are adopted as follows:
 - a) Open access – denotes the availability of content or data, free of charge, on the Internet, allowing anyone to read, download, copy, distribute, print, search or link to full versions of texts or data, to index, transmit as data to software, and use it for any other lawful purpose, without financial or legal or technical barriers, other than those related to obtaining access to the Internet itself;
 - b) Scientific publication – includes peer-reviewed:
 - articles in scientific journals,
 - conference materials,
 - monographs and chapters in monographs,
 - collected works.
 - c) Repository – denotes an IT tool serving to deposit, store, and to share on the Internet the scientific output, results, and accomplishments of research institutions or of specific fields of science;
 - d) RUEK – Repository of the Krakow University of Economics;
 - e) RODBUK – Cracow Open Research Data Repository (RODBUK);
 - f) Golden path – publishing in open scientific journals and book publications;
 - g) Green path – placing the publications in a repository;
 - h) Preprint – early version of the publication, before peer review;
 - i) Postprint – peer-reviewed, final version of the publication;
 - j) Research data - is all the data that had been collected, observed or developed during the research process leading to obtaining original research results, for instance: quantitative data, text documents, notes, questionnaires, forms,

audio and video recordings, photographic images, software applications, results of computer simulations, laboratory logs, methodology descriptions;

- k) Metadata – is the structured information serving to describe research publications and research data, allowing for their unambiguous identification and facilitating search procedures;
- l) FAIR principles – are the rules defining the correct manner of preparing, developing, and working with the data, namely specifying that the data should be: 1) Findable - i.e. possible to find, 2) Accessible – open, and made accessible via open-access software applications, 3) Interoperable – easy to read and to process by people as well as machines, and 4) Reusable – made accessible for further use by other users, thanks to the correct and appropriate documenting.

§ 2

Open access to publications

1. The staff, doctoral candidates, and students of the KUE ensure open accessibility of their publications by granting public access and possibility of their free use with no technical obstacles, along with granting the free Creative Commons license, while implementing the rule of parallel paths:
 - a) publishing in peer-reviewed open journals and book publications (golden path) or;
 - b) publishing in a digital format, as preprint, postprint or the final version of a research publication, according to the publisher's guidelines (green path) at RUEK.
2. Principles for placing the publications in RUEK are specified in the RUEK Regulations.
3. Implementing the guidelines listed in Section 1 should facilitate free perusal of the aforementioned research publications - for everyone, at any time and in any place, without imposing any technical barriers or constraints.
4. University staff and doctoral candidates who are the managers of research projects or of postdoctoral fellowships, financed by Polish and international agencies funding scientific research projects, should apply the open access policy requirements and guidelines appropriate for publications financed or co-financed by the relevant agency.
5. Access mentioned in § 2 Section 1 is to be facilitated as soon as possible after the work has been accepted for publication, if the publisher's policy allows it. The earliest possible publication and availability to the public is motivated by the promotion and dissemination of achievements by the KUE staff, doctoral candidates, and students.
6. In particular, the KUE staff, doctoral candidates, and students whom the Policy concerns are required to agree and approve, in advance, the implementation of the obligations specified in § 2 Section 1, with the following parties:
 - a) with the Publishers, and with other users of the Publication (for instance, with the organizers of scientific conferences);
 - b) with the co-authors of the Publication (in the case of joint publications), as well as with the authors of the originals (in case of works constituting an elaboration, e.g. a translation of an already existing publication).
7. The following units offer support in meeting the requirements of Sections 1, 3 and 4:
 - a) Rector's representative for Open Access Policy to scientific publications and research data;
 - b) designated staff of KUE's Main Library;
 - c) Post for Organizational and Legal matters.

§ 3

Open Access to research data

1. The staff, doctoral candidates, and students of the KUE and other persons listed in § 1 Section 2, should take steps to ensure open access to research data and associated metadata at their disposal, by means of:
 - a) developing research data management plans, i.e. developing the principles of research data management during the active research and development works, and after they are completed, in particular, specifying the types of research data, principles for using that data, including procedures of data access and storage;
 - b) for a research team, designating person(s) responsible for storing, organizing, and sharing i.e. placing the data in the repository of research data;
 - c) whenever possible, sharing i.e. providing open access to research data in accordance with the FAIR principles, including granting appropriate non-exclusive licenses;
 - d) placing the research data, in a digital format, in the RODBUK. Principles of placing publications in the RODBUK are specified in RODBUK Regulations;
 - e) ensuring identifiability of research data, for instance, by using established standards such as an ID of a digital file (for example, DOI - Digital Object Identifier) so that the research data becomes accessible, interoperable and reusable;
 - f) entering into and abiding with agreements for sharing research data with persons and organisations being the members of research teams, research consortia and other pertinent entities or coauthors of the research data;
 - g) compliance by the staff and doctoral candidates who are managers of research projects or postdoctoral fellowships, and whose research is financed from the funds of appropriate agencies (domestic and international), with the open access policy guidelines and requirements of these respective agencies.
2. People depositing data in the repository are directly responsible for the substantive content of research data published in RODBUK, quality of the materials made available, the timing of their availability and determination of ownership rights, intellectual property rights to the research data, and the licenses under which they may be made available.
3. It is permissible for persons sharing research data to limit the scope of the use of that research data by indicating selected categories of persons authorized to use the specified data.
4. Access to research data may be limited in accordance with the principle of “open access to the largest possible degree, and limited or restricted only in the most necessary scope” - in the case of data that is either protected by law, or due to security considerations, or due to ethical considerations.
5. Metadata, regardless of legal or ethical considerations, should always be made available according to the open access principles, with no access restrictions.
6. Research data should be made available as soon as possible. In the case of research data constituting the basis for a scientific publication, this means that the data must be made available no later than at the time the publication comes out.
7. If possible, a scientific publication should include information about the location where the research data constituting the basis for a scientific publication is being stored.
8. The following units offer support in meeting the requirements of Sections 1 to 3:
 - a) Rector’s representative for Open Access Policy to scientific publications and research data;

- b) Data Protection Inspector;
- c) designated staff of KUE's Main Library;
- d) Post for Organizational and Legal matters.

§ 4

Efficient implementation of Open Access Policy

1. Direct superior of newly employed academic staff member at the KUE is responsible for introducing that new staff member to the Policy.
2. The principles determined in this Policy refer to research publications and research data developed after this Policy has entered into force.