

# REGULATION ON THE APPLICATION OF THE OPEN ACCESS POLICY TO SCIENTIFIC PUBLICATIONS RESULTING FROM RESEARCH PROGRAMS SUPPORTED BY THE F.R.S.-FNRS AND ITS ASSOCIATED FUNDS

April 2013<sup>1</sup>

## 1. FOREWORD

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The mission of the Fund for Scientific Research (F.R.S.-FNRS) not only aims at developing basic scientific research through initiatives presented by researchers working in universities of the Federation Wallonia Brussels (either individually or collectively), but also promoting the valorisation of scientific research outputs supported by the F.R.S.-FNRS in order to maximise societal benefits.

By supporting the principle of open access to scientific publications financed wholly or partly from the public funding, the F.R.S.-FNRS has joined a broad Open Access movement that the *"Budapest Open Access Initiative"* (2001) has initiated and which is backed by the Berlin Declaration (2003), the adoption of institutional repositories by the universities of the Federation Wallonia Brussels, and more recently, the European Commission recommendations (July 17<sup>th</sup> 2012) and the Brussels Declaration (October 22<sup>nd</sup> 2012) relating to free access to technical and scientific information.

"By "open access" to [scientific literature], we mean its free availability on the public internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. The only constraint on reproduction and distribution, and the only role for copyright in this domain, should be to give authors control over the integrity of their work and the right to be properly acknowledged and cited."

Definition excerpted from the "Budapest Open Access Initiative" (BOAI, 2002).

At the meeting of the Board of Trustees on 7<sup>th</sup> December 2012 the Fund for Scientific Research (F.R.S.-FNRS) reaffirmed its support for the implementation of an institutional Mandate for open access publications from research projects and researchers funded by the F.R.S.-FNRS under the *"Open Access Green Road"*<sup>2</sup> business model.

This resolution follows the decision of the Board of Trustees of the F.R.S.-FNRS of 16<sup>th</sup> December 2011, which has stated that "from 2013, applicants with a PhD's degree who have been working for at least two years in institutions that have set up an institutional repository are required to submit their publications list in a PDF format in their institution's repository". This also follows the decision of the Board of Trustees of 7<sup>th</sup>

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<sup>1</sup> Review of article 7 on February, 2014

<sup>2</sup> See the definition on point 3. hereinafter

December 2012, which had extended such obligation to promoters of a CDR, PDR, EQP or MIS research programs.

The provisions stated herein support the aforementioned decisions and fulfil the requirement expressed by the Board of Trustees.

## 2. OBJECTIVE AND IMPLEMENTATION OF AN INSTITUTIONAL REPOSITORY

First, the aim of this decision is to facilitate free access to the results of the research funded by the F.R.S.-FNRS (see definitions below), to the benefit of the entire community, especially the scientific community, and second, to increase both national and international visibility of its researchers.

To that end, each university of the FWB creates an institutional repository to make archived material available through electronic open access and contribute to unrestricted dissemination of ideas and knowledge in accordance with the Open Access Green Road policy. Federal scientific institutions, which receive a financial support from the F.R.S.-FNRS, even partial, for their research, introduce such a deposit either individually or collectively.

## 3. DEFINITIONS

For the purposes of this Regulation, the terminology used herein shall mean:

- Open Access (OA): a free universal, immediate, and permanent access to full-text version of scientific publications electronically.
- Gold Open Access: a publisher making the full-text version of a scientific paper available in OA, either on a free-of-charge or publication-fee basis.
- Green Open Access: self-archiving of the full-text version of a scientific paper published in a journal (traditional publication or Gold OA), available in OA upon acceptance from the publisher, either immediately or after the deadline imposed by the publisher. To that end, the text is stored in an institutional repository by the author. If a deadline is required by the publisher, only metadata will be available in OA as the full text is only accessible upon personal request of an e-print.
- Results from the research funded by the F.R.S.-FNRS/associated funds:
  - o **For grant recipients of the F.R.S.-FNRS/associated funds**, research-funded results refer to any peer-reviewed article (with the exception of books or monographs) and participation in symposiums, seminars or conferences (including posters) which have been subject to scientific publications, in whichever form, and where the outputs have resulted from research activities carried out during the lifetime of the project.

- **For promoters carrying out their research programs funded** by the F.R.S.-FNRS/associated funds, research-funded results refer to any peer-reviewed article and participation in symposiums, seminars or conferences (including posters) which have been subject to scientific publications, in whichever form, and which have received funding in full or in part.

## 4. LIABILITIES

Considering paragraphs 5 and 6 of this Regulation in particular, recipients shall endeavor to submit all the published research outputs to their institution's repository, whether they are funded authors or co-authors. They are required to store PDF duplicates of their post-printed author's version before its publication. The published version's details shall be mentioned on the PDF duplicates, subject to the exceptions of Article 6 of this Regulation. Soft copies of all scientific papers that have been accepted for publication in a peer-reviewed journal, and which are funded wholly or partly by the F.R.S.-FNRS and its associated funds must be deposited in the institutional digital repository immediately after acceptance for publication. These electronic versions will be accessible only with the consent of the author and in accordance with the rules applicable to copyright and embargo, and no later than 6 months after publishing (up to 12 months for publications in the fields of Social Sciences and Humanities).

Provisions of this Regulation apply to newly granted fellowships and allocated grants as from 1<sup>st</sup> October 2013.

Grant recipients of the F.R.S.-FNRS/associated funds who have been granted before that date for a period running beyond 1<sup>st</sup> October are asked to comply with the provisions of this Regulation. In particular, with regard to their research results published since 2008 and as those publications have been wholly or partly funded by the F.R.S.-FNRS/associated funds, recipients, whether they are author or co-author, also ensure where possible the deposit of a duplicate of the full-text final version (PDF) of any article in scientific journals in their institution's repository. The deposit process is governed by each institution's policy and deposits may be openly accessible only with the express agreement of the author or co-authors.

## 5. NEGOTIATION OF RIGHTS RELATED TO THE EXPLOITATION OF RESEARCH OUTPUTS

The F.R.S.-FNRS advises recipients whose works are publicly funded to sign a licence agreement while transferring their copyright. The licence facilitates free access and free use of works, especially when it comes to non-commercial purposes. The F.R.S.-FNRS commits to negotiating such licences from publishers on its own initiative or upon the request of the recipient and to notifying them about the existence of this Regulation and the reasons for its policy.

Publishers' and journal's policy dealing with OA more specifically can be found on the [SHERPA-ROMEIO](#) website.

Accordingly, when signing a publishing contract, recipients shall ensure where possible that they will retain their intellectual property rights. This will guarantee Open

Access publishing in accordance with this Regulation and its non-commercial use while protecting author's moral rights.

Option 1 – The licence (e.g. [CC-BY model](#)) shall restrict the right of the publisher to the right of use for publication purpose only and allow the author to enjoy her/his exploitation's rights regarding her/his work while granting the right of use to the publisher.

Option 2 – An amendment to the publishing contract shall reserve the right to the author to publish her/his funded research work on the institution/F.R.S.-FNRS website within a 6/12-month delay. Such further publication can be made with or without any reference to the first publisher.

The F.R.S.-FNRS provides its grantees with licensing agreement templates to ease the negotiation with publishers.

## 6. EXCEPTIONS

In case of the recipient is co-author of a published paper covered by this Regulation, this published paper can be made available depending on the agreement of the co-author(s), unless they are subject to the scope of this Regulation or the like. Similarly, access to the published paper in the institutional repository might be denied either fully or partly by the publisher, the co-authors (e.g. due to state or business secrecy), or due to legal or ethical rules (e.g. for research results confidentiality or personal data protection reasons...).

In such cases, recipients are required to inform their hosting institution and the F.R.S.-FNRS.

Such incapacity to fulfill those requirements does not exempt recipients from archiving their research results in their institution's repository as they could be used in scientific reports for instance.

## 7. OPEN ACCESS PUBLICATION FEES

The F.R.S.-FNRS and its associate funds support the implementation of Open Access, with a preference for the deposit requirement of publications resulting from the funded projects (Green OA), but does not exclude direct publication in a purely open access journal (Gold OA) allowing their funded researchers to claim, during the timeframe of the project, the costs of publication in Open Access journals from F.R.S.-FNRS funded projects (grants, CDR, PDR) to a limit of 500 € per article.

The F.R.S.-FNRS and its associated funds guarantee its grant recipients the academic freedom of choice of the most suitable journal but encourage them to publish their work in journals that are indexed in DOAJ or any other scientific journal offering the same publishing standards and level of transparency.

## 8. "WITH THE SUPPORT OF THE F.R.S.-FNRS" STATEMENT

For adequate identification, scientific publication resulting partially or fully from the funding of the F.R.S.-FNRS and its associated fund shall mention the source of this funding as follows:

*"This work was supported by the Fonds de la Recherche Scientifique - FNRS under Grant(s) n° [ID number]" with regard to Project grants, or "[Full name] is a [title<sup>3</sup>] of the Fonds de la Recherche Scientifique - FNRS".*

## 9. FINAL PROVISIONS

Subject to the provisions of article 4, paragraph 4, this Regulation comes into force as of 30<sup>th</sup> of June 2013.

Only full-version of electronic publications in a PDF format, subject to a transitional period not exceeding 10 months and to exceptions provided in Article 6, issued from institutional repositories of universities in the Federation Wallonia-Brussels can be accounted for in the evaluation and granting procedures of the F.R.S.-FNRS and its associated funds.

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- Aspirant (ASP) = Research Fellow
- Candidat spécialiste doctorant (CSD) = Medical Doctor Applicant to an MSc and a Ph.D.
- Spécialiste doctorant (SD) = Clinical Master Specialist Applicant to a Ph.D.
- Vétérinaire clinicien-chercheur doctorant (VETE-CCD) = Veterinary MD. Ph.D. Student
- Chargé de recherches (CR) = Postdoctoral Researcher
- Spécialiste postdoctorant (SPD) = Post-doctorate Clinical Master Specialists
- Collaborateur scientifique = Scientific Research Worker
- Chercheur qualifié (CQ) = Research Associate
- Maître de recherches (MR) = Senior Research Associate
- Directeur de recherches (DR) = Research Director
- Clinicien-chercheur doctorant (CCD) = MD. PhD Student
- Clinicien-chercheur spécialiste (CCS) = MD. Postdoctoral Fellow
- Mandat d'Impulsion Scientifique (MIS) = Incentive Grant for Scientific Research
- Chercheur temporaire post-doctoral étranger = Short term Foreign Postdoctoral Fellow
- Mandat d'Impulsion Scientifique - Mobilité Ulysse (MISU) = Ulysse Incentive Grant for Mobility in Scientific Research