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Policy for Open Access to Research Infrastructures at the Center for Bioengineering at Faculty of Engineering, University of Kragujevac

Introduction

Center for Bioengineering at Faculty of Engineering, University of Kragujevac is a research and development center for bioengineering, scientific computing and software development. Main activities are related to software development for bioengineering, stent design, testing and optimization and scaffold design for tissue engineering.

Center for Bioengineering has participated in many international scientific projects, especially within the Horizon 2020 framework. In Horizon 2020, open access is mandatory either through a repository or directly by publishing in open access. In this way, it has helped researchers improve quality of results obtained and build on previous research results. Moreover, it has helped speed up innovation and time to market, which is important for exploitation and commercialization of research results and has resulted transfer of technology and a number of patents filed and/or granted. Therefore, Policy for Open Access will expend the existing practice of the Center in the domain of open science. The open access to research infrastructures could bring long-term benefits at the Center level, but also at the local, national and regional levels.

The Center aims to increase its visibility, innovation, research capacities on the national and international level.

Opening up research infrastructure available at the Center will help achieve these aims. Activities at the Center's open research infrastructure will contribute to improvement of research activities and global recognition through: accessing various research infrastructures, expanding cooperation network, expanding research fields, growing number of readers (and thus more potential collaborators), improving reputation of researchers and the Center through increased citations, exchanging knowledge, experience, and skills with other research centers, laboratories, and staff exchanges.

Policy for Open Access to Research Infrastructures at Center for Bioengineering at Faculty of Engineering, University of Kragujevac is built in accordance with:

- Institutional policy of the University of Kragujevac for Open Science adopted on December 27, 2018,
- National Open Science policy entitled 'Open Science Platform', adopted on July 14, 2018,
- Law on Science and Research of the Republic of Serbia, adopted on July 8, 2019.
- EU strategies for open access to research publications, data and infrastructure.

CHAPTER I GENERAL PROVISIONS AND DEFINITIONS

1. **The Center for Bioengineering at the Faculty of Engineering, University of Kragujevac** (hereafter – Center) is a research and development center for bioengineering, scientific computing and software development. Main activities are related to software development for bioengineering, stent design, testing and optimization and scaffold design for tissue engineering. Center of Bioengineering is part of the Faculty of Engineering, which is a separate legal entity operating within the University of Kragujevac.
2. This Policy is applied to all **Open Access Research Infrastructures** for research and development (R&D) (technical, social and cultural) (hereafter – **Research Infrastructure**) of the Center and guide the relations between the Center for Bioengineering at the Faculty of Engineering, University of Kragujevac and the **Users** of its **Open Access Services**.
3. All Research Infrastructure is located at the Laboratory for Bioengineering within the Center.
4. This Policy forms an integral part of any **Open Access Services** agreement concluded between the Center for Bioengineering at Faculty of Engineering, University of Kragujevac and the **Users** of **Open Access Services**.
5. The objective of this Policy is to define the nature of **Research Infrastructure(s)**, its position in the Center, its technical specification, services provided by this **Research Infrastructure**, provisions for use of resources, time ratio, formation of pricing, confidentiality obligations and dispute settlement procedure.
6. The following definitions are used in the Policy:
 - **Agreement** – an agreement on the provision of **Open Access Services** between the **User** and the Center in accordance with the procedure established in the terms and conditions of the **Agreement**.
 - **Applicant** – a natural or legal person, internal or external to the Center ordering services from the **Research Infrastructure** or requesting access to this **Research Infrastructure** to perform research;
 - **Application** - an application submitted by the **Applicant**;
 - **Commercial Time** – the period of time within which the **Research Infrastructure** is made accessible for remuneration for private sector.
 - **Experimental time** – the period of time within which the Research Infrastructure can be used to carry out scientific research and development works;
 - **Guaranteed Time** – the period of time reserved for external users who made an in-kind financial contribution to the development of the **Research Infrastructure**, and participate in the specific joint activities with the Center;
 - **Off time** – the period of time which the **Research Infrastructure** cannot be used. This time is reserves for maintenance and repairs;
 - **Open Access principles** – the conditions under which the Center creates access to its **Research Infrastructure** for use by different groups of **Users** inside and outside the organisation;
 - **Open Access Services** – services of the Research Infrastructure provided on an Open Access principles and approved by an authorised person at the Center;
 - **Open Access time** – the period of time within which the **Research Infrastructure** is made accessible to the users either for free;

- **Research Infrastructure** (infrastructure for carrying out research) – scientific and laboratory equipment located at the Center - physical structure (laboratory), instruments, tools, and other material and virtual resources and related services required for the performance of modern fundamental and applied scientific research;
- **Research Infrastructure Operating time** – the total operating time of the **Research Infrastructure**;
- **Resources** – research infrastructure, scientists and other researchers working with the infrastructure, conducting the operation of the infrastructure, working, maintenance and development, time of the infrastructure;
- **Technical time** – the period of time within which the **Research Infrastructure** is being technically maintained and the users cannot use the **Research Infrastructure** to carry out scientific research and development works;
- **User** – an **Applicant** who was granted access to **Research Infrastructure**;

CHAPTER II RESEARCH INFRASTRUCTURE MANAGEMENT

7. Management and supervision of specified **Research Infrastructure** is ensured by the Head of the Center and the Head of the Laboratory for Bioengineering
8. Head of the Center is responsible for managing the implementation of the Policy and for the fulfilment of the contractual obligations towards external users.
9. Head of the Center and Head of the Laboratory are responsible for defining a list of obligations for external users, as part of the contract. The Head of the Laboratory is responsible for the fulfilment of the obligations towards internal users.
10. Head of the Laboratory is responsible for controlling and maintaining the Research Infrastructure and training of infrastructure users; communication with users and administrative and technical issues regarding approval of the request and evidence of the usage, support and maintenance of the infrastructure.
11. Administrative staff from the Faculty's financial department is responsible for calculating the fees for external users based on the evidence provided by the Head of the Laboratory and for the controlling and recording the payment.

CHAPTER III USERS OF RESEARCH INFRASTRUCTURE

12. Services of the Center are provided to internal and external users.
13. **Internal Users** are researchers employed at the Faculty of Engineering University of Kragujevac.
14. **External Users** are researchers from other faculties and institutes within the University, from other national and international universities and research organisations, research institutes, clinical centers, commercial organisations, and civil society.
15. **Internal User**, who wants to use or be entitled to use **Research Infrastructure** of the Center reserves the required equipment by filling out the **Application** available on the Center's webpage. An authorised person at the Center reviews and either rejects or approves the **Application**.
16. **External User**, who wants to use or be entitled to use Research Infrastructure of the Center applies to an authorised person at the Center by filling out the **Application** available on the

Center's webpage. An authorised person at the Center reviews and either rejects or approves the **Application**.

17. After receipt of the internal and external **User's Application**, **Head of the Laboratory** checks the availability of the **Research infrastructure**, and if the infrastructure is available, sends request to an authorised person at the Center for the final approval. If requested infrastructure is not available, Head of the Laboratory informs user about the possible time options. An authorised person at the Center approves the **Application** and prepares an **Agreement** for access to the **Research Infrastructure** for external user.
18. The **Agreement** between the Center and external user is concluded in writing. Negotiations on the agreement may take place by email, but it enters into force when both parties exchange the originals.

CHAPTER IV ACCESS TO RESEARCH INFRASTRUCTURE

19. **Research Infrastructure** is accessible to the **Users** in compliance with procedures defined by the **Time of Access** to the **Research Infrastructure**.
20. The **Research Infrastructure Operating Time** is divided into **Experimental Time**, **Technical Time** and **Off Time**.
21. The **Experimental Time** is divided into **Open Access Time**, **Guaranteed Time** and **Commercial Time**.
22. Head of the Center approves the **Research Infrastructure Operating Time** schedule, including the allocation of time units to its types, under the assumption that the objective is to maximise the **Experimental Time**.
23. Head of the Center guarantees the provision of at least 20% of all **Research Infrastructure Experimental Time** to external **Users**, if needed. The remaining **Experimental Time** is provided to internal **Users** and meeting of internal needs, including organisation of the process of the Faculty studies.
24. Priority is applied to small and medium-sized enterprises that have signed long-term target cooperation agreements and newly established (during the last 12 months before the date of application submission) small and medium-sized enterprises performing R&D activities.
25. To encourage newly established (during the last 12 months before the date of application submission) small and medium-sized enterprises performing R&D activities to use the services provided by Research infrastructure of the Center can apply preferential treatment.
26. **Research Infrastructure** services, provided under preferential treatment, cannot violate national legal provisions regarding state assistance and the rules for use of public funding from different sources.

CHAPTER V FORMING OF PRICING FOR RESEARCH INFRASTRUCTURE SERVICES

27. Pricing of the **Research Infrastructure** services is made under the principle of the reimbursement of Research Infrastructure costs.
28. The price of the **Research Infrastructure** services is determined according to the **User's** type – internal vs. external **User** / commercial vs non-commercial, assessing the duration of the work of equipment and human resources, consumables and other materials required for performance of the work, and other possible expenses.

29. After external **User's Application** is received and decision to grant access is made, the Head of the Laboratory prepares a commercial offer of service provision.
30. The Head of the Laboratory, who receives an application of internal **User**, automatically complies with request and reserves equipment.
31. Prices for the services provided to internal **Users** are calculated in accordance with the institutional rules for using of the Faculty's equipment. The calculation is based on the actual costs of consumables and supplies without taking into account the predefined fees for external users.
32. Prices of the **Research Infrastructure** services are announced publicly. Prices are reviewed taking into consideration changes in economic conditions, costs of the maintenance, administration and other costs related to the **Research Infrastructure** activities.

CHAPTER VI COLLECTION AND USE OF THE FUNDS RECEIVED FOR PROVISION OF THE RESEARCH INFRASTRUCTURE SERVICES

33. Income received from the provision of the **Research Infrastructure** services have to be used for the upkeep, improvement and renovation of the **RI**. Other purposes might include acquisition of materials and tools required for the **Research Infrastructure** activities, improvement of qualification of the staff conducting maintenance, salaries and other expenses directly related to the **Research Infrastructure** activities and overhead costs proportional to the usage.
34. The income received is distributed as follows: 9% for the Faculty's overhead and administration costs and the rest for the Center's activities.
35. Accounting of these funds is conducted in the Financial department at the Faculty of Engineering.
36. Income tax for the Center's service provision – income is deducted as a fixed part of the price of provided services accounted at the Faculty's Financial department.
37. Added value tax is a state tax, calculated as a fixed part of the price of provided services, transferred to the State Tax Inspectorate.

CHAPTER VII OBLIGATIONS RELATED TO CONFIDENTIALITY AND PROTECTION OF INTELLECTUAL PROPERTY

38. The **Head of the Laboratory** must ensure the confidentiality of the results of every scientific research and/or experiment performed using the **Research Infrastructure Resources** and/or services. Exceptions can be specified under the written **Agreement** between the **Research Infrastructure** and external **User**.
39. Ownership and management of intellectual property created at the Center and confidentiality obligations are regulated by the University's rulebook on the Intellectual Property Management based on the national regulations: The Law on Copyright and Related Rights (Official gazette of RS 104/2009, 99/2011, 119/2012, 29/2016 and 66/2019), The Patent Law (Official gazette of RS 99/2011, 113/2017, 95/2018 i 66/2019).
40. In the case of research performed by external **Users**, all intellectual property questions will be specified in the contract **Agreement** between the external users and Center.
41. In the case of research performed by internal **Users**, all intellectual property questions are regulated by the University's rulebook on the Intellectual Property Management and a

discussion may need to be held about making the results available **Open Access**, adhering to the Open Science principles.

CHAPTER VIII DISPUTE SETTLEMENT

42. Center may ask the external **User** to pay an amount equal to part of the remuneration as a collateral before starting to use the **Research Infrastructure**.
43. If the **Research Infrastructure** or one of its elements is damaged or destroyed, Center has the right to request remuneration for this damage or deduct it from the collateral (described in point 42).
44. When the **User** has finished using the **Research Infrastructure** without damaging or destroying it, Center shall credit the amount referred to in point 42 towards the remuneration or return it to the **User**.
45. In case of disputes regarding the use of the **Research Infrastructure Resources** or service provision, violations of protection of intellectual property or other basis directly related to the **Research Infrastructure**, interested persons can submit a written claim or complaint to the Head of the Laboratory.
46. After receipt of a written claim or complaint, the Head of the Laboratory transfers it for the consideration of the responsible departments or specially formed bodies. Any claim or complaint must be considered and examined in 15 calendar days from its receipt. Responsible department prepares an answer and sends it to the applicant by e-mail in 3 working days.
47. In case a dispute is not settled, interested persons can protect their rights under procedure established by the national legal acts of Serbia.

CHAPTER IX FINAL PROVISIONS

48. This Policy is amended or repealed under the order of the Head of the Center.



President of the Council of the Faculty of Engineering
Prof. Danijela Miloradovic