

UNOFFICIAL TRANSLATION

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VILNIUS UNIVERSITY RULES AND REGULATIONS FOR OPEN ACCESS TO SCIENTIFIC (ART) AND STUDY WORKS

CHAPTER I GENERAL PROVISIONS

- 1 1. Vilnius University Rules and Regulations for Open Access to Scientific (Art) and Study Works
2 (hereinafter referred to as [Regulations](#)) establish requirements for uploading to the Lithuanian
3 Academic Electronic Library (hereinafter referred to as eLABa) of bachelor and master theses,
4 doctoral dissertations and other publications that apply to Vilnius University's (hereinafter
5 referred to as the University) academic community in order to promote implementation of [open](#)
6 [access](#) and recommendations for publishing.
- 7 2. Members of the University's academic community upload their scientific, artistic and study
8 output to eLABa and make it [publicly available](#) with regard to both the Regulations and
9 procedure adopted for uploading of Vilnius University's electronic documents to the
10 Lithuanian Academic Electronic Library's information system, as well as in compliance with
11 requirements and recommendations regarding open access put forward by supporting
12 organizations and other sources, and without infringing copyright and related rights.
- 13 3. Main terms of the Regulations:
 - 14 3.1. **Open access** refers to free, unrestricted online access to research information when a user
15 is allowed to read, upload to data storage media, copy, disseminate, print, perform a
16 search or make references to full-text articles, crawl and index, use as data for software
17 purposes and use in other legitimate ways without financial, legal or technical barriers
18 except those related to online access. The only restriction for recreating and
19 dissemination of creation is the integrity of the creation, the copyright and the author's
20 right that is regulated by the Law on Copyright and Related Rights.
 - 21 3.2. **Embargo period** refers to a period of temporary embargo during which public
22 availability to the documents is restricted; embargo period is established by an agreement
23 with the publisher or a licence agreement between the author and the eLABa manager, or
24 by the eLABa manager and counted in months after publishing a work (publications),
25 defending a bachelor, master or doctoral theses and uploading to eLABa. In cases where
26 it is impossible to establish the exact day of publishing of the work, the first day of the
27 embargo period is considered to be the first day of the next month if the month of
28 publishing is known, and the first day of the next year if only the year of publishing is
29 known.
 - 30 3.3. **Public availability** refers to public access to the file in a way where members of the
31 public can access it in a personally chosen place and time.

CHAPTER II REQUIREMENTS FOR UPLOADING TO ELABA TO ENSURE IMPLEMENTATION OF OPEN ACCESS

- 32 4. [Bachelor and master theses](#) that have been defended by members of the University academic
33 community and are not subject to the decision to not be published made under the procedure

- 34 established by the University have to be uploaded to eLABa [as a PDF](#) no later than in 14
35 calendar days after the thesis has been defended with the indication of the [terms of access](#):
36 publicly available, accessible through the University intranet, or inaccessible.
- 37 4.1. No longer than 60-month [embargo period](#) can be applied for theses before they are made
38 publicly available.
- 39 5. Members of the University academic community have to upload doctoral dissertations and their
40 abstracts to eLABa as a PDF no later than in 14 calendar days after the dissertation has been
41 defended with the indication of the terms of access: publicly available, accessible through the
42 University intranet, or inaccessible.
- 43 5.1. No longer than 36-month embargo period can be applied to doctoral dissertations before
44 they are made publicly available.
- 45 5.2. No longer than 12-month embargo period can be applied to abstracts of doctoral
46 dissertations before they are made publicly available.
- 47 6. Members of the University academic community have to give the respective division of the
48 University the right to upload their [scientific articles, conference materials, and, if possible,
49 other publications](#) to eLABa as a PDF or upload them themselves [after receiving publisher's
50 permission to publish](#), but no later than in 60 calendar days from publishing with the indication
51 of the terms of access: publicly available, accessible through the University intranet, or
52 inaccessible.
- 53 6.1. If a publisher has not indicated otherwise, no longer than 12-month embargo period can
54 be applied to publications that are made publicly available.
- 55 6.2. The main uploaded document of the publication has to be a digital print published by
56 publisher or a [final digital copy, reviewed and corrected according to reviewer's
57 comments and accepted by the publisher for publishing](#) – *postprint*.
- 58 7. [University-financed or partly-financed](#) reviewed publications that publish articles or conference
59 materials and, when possible, other publications have to be uploaded to eLABa as a PDF with
60 the indication of the terms of access: publicly available, accessible through the University
61 intranet, or inaccessible.
- 62 8. Metadata of scientific, artistic and study output that were uploaded to eLABa are publicly
63 available without applying an embargo period. In cases where, by the request of the author or
64 one of co-authors, the document has been removed from eLABa, the updated [metadata](#)
65 indicating the reason for removal shall not be deleted from the system.
- 66 9. In cases where scientific, artistic and study output cannot be made public in order not to
67 infringe the rights and legitimate interests of other persons, documents [will be recorded](#) in
68 eLABa and the files themselves will not be uploaded.
- 69 10. Bachelor and master theses that have been defended by members of the University academic
70 community and their [records](#) are not uploaded to eLABa if a decision not to publish was made
71 in accordance with the procedure established by the provisions of the procedure of Vilnius
72 University Students Bachelor and Master Theses Preparation, Defence and Accumulation.

CHAPTER III

RECOMMENDATIONS FOR PUBLISHING TO ENSURE OPEN ACCESS

- 73 11. In order to maintain the rights to upload documents to eLABa and to ensure the opportunity to
74 make them publicly available, authors that are members of Vilnius University community,
75 when signing the publishing agreement with a publisher, are advised to sign an [annex to the
76 publishing agreement](#) that is provided in the Attachments 1 to 4 to the description of the
77 procedure concerning the uploading of Vilnius University electronic documents to the
78 information system of Lithuanian Academic Library.

- 79 12. In order to ensure open access, members of Vilnius University community are advised to
80 publish their scholarly articles in high-quality scientific [open access publications](#).
81 13. In order to ensure greater visibility of scientific output in open access journals, members of the
82 University academic community that intend to publish their scholarly articles in [high-quality](#)
83 scientific open access publications may be provided with [financial support](#) for publishing in
84 accordance to the established procedure of Vilnius University Fund for Science Promotion.
85 14. In order to ensure open access, [University-financed or partly-financed](#) reviewed publications
86 that publish articles and conference materials, and, where possible, other publications are
87 recommended to be open access.

CHAPTER IV FINAL PROVISIONS

- 88 15. The Regulations come into force from 1 January 2019.
89 16. It is advised to apply the Regulations [even before they come into force](#) for scientific, artistic
90 and study output that is produced by the academic community of the University.
91 17. Only those scientific articles and conference materials that are uploaded to eLABa as a PDF
92 and/or, in cases where articles or materials cannot be made public in order not to infringe
93 copyrights or related rights, [only as records](#), might be added to the [list of publications that is](#)
94 [submitted to the Review Commission](#) in the process of academic certification.
95 18. The Regulations should be [revised](#) and if necessary updated at least once per five (5) years.
96 19. The University Library provides all information and consultations necessary for proper
97 implementation of the Regulations.
98 20. The Regulations are to be made public on the websites of the University, academic branches of
99 the University, as well as the University Library.

EXPLANATORY NOTES

line 2, Regulations: practice is being changed from “all is closed” to “all is open and only in exceptional cases closed”, as the aim of the Regulations is to ensure wider access to the output produced by academic community. Open access can be implemented in two ways: opening scientific output through repositories (Green Road) or through the process of publishing (Gold Road). These Regulations aim to implement open access through Green Road (mandatory) which has already been established by the procedure concerning the uploading of Vilnius University’s electronic documents to the information system of the Lithuanian Academic Electronic Library, as well as to affirm the provisions concerning Gold Road (recommended).

line 5, open access: includes only output in electronic format.

line 8, publicly available: aiming to ensure public availability, but not yet an open access (it is not required to apply open content licence to the output). In reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Article 5).

line 32, Bachelor and master theses: with regard to Vilnius University Intellectual Property Management Regulations (Article 11), bachelor and master theses are uploaded to eLABa from VUSIS, as Vilnius University is granted “non-exclusive licence to publicly publish these works for the entire period of validity of the law on copyright and related property rights <...> in repositories of the Lithuanian Science and Studies Electronic Documents’ information system”.

line 34, as a PDF: the main file must be uploaded in a PDF format (electronic file, not scanned or photographed). The file can be uploaded in other formats only as attachment to main format. In reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Article 13).

line 35, terms of access: all files uploaded to eLABa (if embargo period is not applied) are made publicly available. Terms of access for an uploaded file during the embargo period can be either “accessible through the University intranet” or “inaccessible”. If files cannot be made publicly available, they are not uploaded to eLABa. In reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Articles 6, 7 and 24).

line 37, embargo period: embargo period should not be applied if not necessary. Embargo period is established in reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Article 15):

- For doctoral dissertations – 36 months;
- For bachelor and master theses – 60 months;
- For other documents – 12 months (if the publisher has not provided otherwise).

line 48, scientific articles, conference materials, and, if possible, other publications: types of publications are determined in accordance with eLABa Type Classification for Scientific Publications. Scientific articles and conference materials are usually published without expecting a

financial reward, therefore they are uploaded to eLABa with a full-text file (version of record or accepted manuscript) and made publicly available. If author has doubts what version of a full-text file to upload (version of record or accepted manuscript), it is advised to upload both files – the librarian will delete unnecessary files while checking the uploaded publication. In reference to Vilnius University Intellectual Property Management Regulations (Article 8), property rights of the said works should belong to the authors who created them, therefore they can be made public through eLABa only with their permission and the authors themselves have to upload the files or delegate this right to the respective entity. It should be noted that in agreeing to sign an agreement with a publisher, the authors usually lose their copyrights, therefore some exceptions are provided (i.e. documents that, after being uploaded and/or made publicly available, would infringe author's (authors'), eLABa manager's (managers') and other entity's holding copyrights rights) in cases where it is not obligatory to upload a full-text file to eLABa. In reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Articles 7 and 24).

line 49, after receiving publisher's permission to publish: there should be a possibility to upload files (accepted manuscripts) to eLABa instantly after the document was accepted for publishing. Terms of access for an uploaded file before the publishing date or during the embargo period (if applicable) can be either “accessible through University intranet” or “inaccessible”. In reference to The Research Council of Lithuania's Guidelines on Open Access to Scientific Publications and Data (Article 12).

line 56, final digital copy, reviewed and corrected according to reviewer's comments and accepted by the publisher for publishing: in cases when published publications cannot be made publicly available, accepted manuscripts can be uploaded to eLABa. This would allow to open scholarly output through repositories (Green Road), however, documents published in publications would not be publicly available (Gold Road is not implemented and a full-text publication is available only for those who subscribe to the journal). In reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Article 31).

line 58, University-financed or partly-financed: it is ensured that scientific output would be publicly available through repositories. Embargo period (if applicable) is established by the publisher. In reference to Vilnius University Intellectual Property Management Regulations (Article 20).

line 64, metadata: the aim is to establish public availability, but so far not an open access (open content licence is not applied to metadata). In reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Article 14).

line 67, will be recorded: in reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Article 7).

line 70, records: bachelor and master theses that are defended at Vilnius University are uploaded to Vilnius University Studies Information System (VUSIS). If the decision not to publish a bachelor or master thesis has been made, it is not uploaded to eLABa and records are not created. In reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Article 38.8).

line 75, annex to the publishing agreement: in agreeing to sign an agreement with a publisher, the authors usually lose their copyrights, however, the [annex to publishing agreement](#), when signed concurrently, would allow them to keep some of their rights. This in turn would allow opening of scientific output through repositories. In reference to the procedure concerning the uploading of Vilnius University electronic documents to the information system of the Lithuanian Academic Electronic Library (Article 10).

line 80, open access publications: the idea to open scientific output in publications is promoted, however, it is not mandatory for members of academic community; otherwise, it would pose a threat to the researchers' academic freedom to choose publishers. In reference to Vilnius University Intellectual Property Management Regulations (Article 20).

line 82, high-quality: in reference to the term used in the regulations of Vilnius University Fund for Science Promotion (Article 5.1).

line 83, financial support: in reference to the regulations of Vilnius University Fund for Science Promotion (Articles 3.1.2 and 5.1).

line 85, University-financed or partly-financed: promotes the idea to open scientific output in publications. Vilnius University has not yet adopted a strategy on publishing, therefore this provision is only recommendatory. In reference to Vilnius University Intellectual Property Management Regulations (Article 20).

line 89, even before they come into force: Regulations cannot be applied retroactively, however, in aiming to ensure wider access to academic community output it is advisable to apply the Regulations for the output which was created even before the Regulations come into force.

line 93, only as records: this exception is applied to those scientific articles and conference materials that cannot be self-archived due to publisher's approach – i.e., that scientific articles and conference materials, which are within this exception and are uploaded to eLABa only as records without full-text files, should be taken into consideration by the Review Commission.

line 93, list of publications that is submitted to the Review Commission: this is the key factor for ensuring compliance with the Regulations. This article was included in the Regulations in reference to the outcome of "[Open Access policy effectiveness: a briefing paper for research institutions](#)", a survey examining efficiency of analogous documents. Before the Regulations come into force, eLABa system will offer an option to form the respective lists, which will be suitable for submitting to the Review Commission.

line 95, revised: the indication to revise the Regulations ensures the possibility to adjust the content with regard to changes that occurred or after encountering any problems in the future.