

Open Access Policy

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Business Owner: Deputy Vice-Chancellor
Approval Authority: Academic Board

1. PURPOSE

- 1.1 As an organisation Lincoln University is committed to making content openly and freely available as the first and preferred option.
- 1.2 This policy provides guidance to Lincoln University staff and postgraduate students, in both how and when they might choose to make their intellectual output (including research outputs, research data, teaching materials, public records, and scholarship) openly and freely accessible on the web.
- 1.3 Lincoln University takes a broad ethical position which asserts that if public funding has supported the creation of an idea, research or other content then it is reasonable and fair that it be made publicly accessible.
- 1.4 Lincoln University also acknowledges the strategic advantages of Open Access to increase visibility of research leading to increased citations and higher rankings.
- 1.5 The University fully understands that there will be circumstances when it would be inappropriate to make research or other content openly accessible to the public, including ethical, commercial or cultural reasons for protecting material. In these instances the material is protected by other University policies. (See Section 6 for links to other Lincoln University policies that override the Open Access Policy.)

2. DESIRED OUTCOMES

- 2.1 This policy seeks to:
 - 2.1.1 Provide a clear statement that Lincoln University endorses Open Access as our preferred position as an organisation;
 - 2.1.2 Provide clear guidance on how and when to apply a Creative Commons license to Open Access materials, and which license to apply;
 - 2.1.3 Provide clear guidelines on circumstances where Open Access may be deemed inappropriate or unwise.

3. PRINCIPLES

- 3.1 This policy is based upon the following principles relating to Lincoln University and its place in society:
 - 3.1.1 Lincoln University will actively encourage all content produced by staff, and in some instances postgraduate students, to be openly shared and disseminated on the web, while recognizing situations where open access is not suitable (see section 4.4

below for exemptions);

3.1.2 The outcomes from the Treaty of Waitangi claim WAI 262 of 2011 relating to New Zealand's law and policy affecting Māori culture and identity will be considered in all decisions relating to making material Open Access;

3.1.3 It is desirable that all content produced by staff is made accessible through one of Lincoln University's Open Access repositories, supported by Learning, Teaching and Library:

Research

- Research@Lincoln <https://researcharchive.lincoln.ac.nz/>
<https://researcharchive.lincoln.ac.nz/>
- Data@Lincoln <https://data.lincoln.ac.nz/>

Teaching

- Lincoln University Resources for Education <https://library2.lincoln.ac.nz/lure/>

Heritage

- Lincoln University Living Heritage | Tikaka Tōku Iho
<https://livingheritage.lincoln.ac.nz/>
- Other Lincoln University websites

3.1.4 When not overridden by other Lincoln University Policies, materials (including but not limited to webpages, publications, public records, software and data bases) to which Lincoln University holds the copyright will be made available under an appropriate Creative Commons or other public copyright licence.

4. GUIDELINES

Ownership and Copyright

4.1 The ownership of copyright in staff and students' work is as outlined in the Intellectual Property Policy, unless copyright is signed over to a third party e.g. when agreeing to publish in a journal.

Creative Commons Licence (or other public copyright licence)

4.2 Where Lincoln University authors/content creators retain their copyright, they are encouraged to apply a Creative Commons or other public licence to their intellectual output to determine how material may be used, reused or repurposed.

4.3 Authors/content creators are further encouraged to apply the least restrictive license appropriate to their work: e.g. to apply a Creative Commons Attribute (CC-BY) license unless Non-Commercial (NC), Share-Alike (SA), and/or No-Derivative (ND) restrictions are required. The Creative Commons website explains the terms of these variations.

Research Output Mandate (incorporated from the former Research Output Mandate Policy)

4.4 To make content open access, staff should deposit all their research outputs via the research management system Elements, into Research@Lincoln. Learning, Teaching and Library staff will make deposited material available open access unless an embargo is applied for commercial or legal reasons, or there is any contravention of IP rights or copyright, or there is another compelling reason not to do so.

When Open Access May Be Inappropriate

4.5 There are various reasons why some material may not be appropriate for Open Access including:

- Material that is copyrighted (or licensed) by other individuals, organisations or companies, e.g. textbook publishers who have not given permission for open access.



- Commercially sensitive information, e.g. potential IP from a Lincoln research project or privileged comments from a guest speaker.
- Mātauraka Māori which should not be made widely available, or where permission to make it available cannot be obtained.
- Material which would compromise any individual's privacy or other human ethics considerations.
- Material that would be difficult or cost-prohibitive to make widely available, e.g. software simulations run on internal Lincoln servers.
- Other material that content creators feel is not appropriate to make available outside their classes or the University, e.g. early drafts or material that could be misinterpreted.

Advice and Support Available

4.6 Authors/content creators can access advice and support from the University Collections team or the Research Data Analyst in Library, Teaching and Learning.

5. DEFINITIONS

Open Access

5.1 The term "Open Access" can apply to both the results of scholarly research funded by the public purse, and other content such as research data, teaching materials, public records or scholarship.

5.2 "By 'open access' [...], we mean its free availability on the public internet, permitting any users to read, download, copy, distribute, print, search or link to the full text 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." (Budapest Open Access Initiative, <https://www.budapestopenaccessinitiative.org/read>; see also Appendix)

6. LINKS WITH OTHER LINCOLN UNIVERSITY POLICIES

- [Policy on Intellectual Property \(under review\)](#)
- [Policy on Distribution of Revenue from Commercialisation of Intellectual Property](#)
- [Human Ethics Committee](#)
- [Code of Ethical Conduct - Animals for Research, Testing and Teaching](#)
- [Policy on Research](#)
- [Records Management Policy](#)
- [Code of Conduct Policy](#)

Government policy position:

- [NZGoal](#) outlines the New Zealand Government's Open Access Licensing Policy

7. REVIEW

7.1 This policy will be reviewed every 2 years. It will not be amended without consultation with staff and student representatives.



APPENDIX

Open Access

For content to be deemed open access, the author/creator needs to remove not just price barriers but also permission barriers. This understanding derives from what Suber (<http://legacy.earlham.edu/~peters/fos/overview.htm>) calls the “BBB definition” i.e. the common ground among the three major public definitions:

- The Budapest definition: <https://www.budapestopenaccessinitiative.org/read>
- The Bethesda definition: <http://legacy.earlham.edu/~peters/fos/bethesda.htm>
- The Berlin definition: <https://openaccess.mpg.de/policy>

The Budapest definition is supported by SPARC (<https://sparcopen.org/open-access/>), the Scholarly Publishing and Academic Resources Coalition, an international alliance of academic and research libraries working to correct imbalances in the scholarly publishing system.

Creative Commons

Creative Commons provides free licences and tools that copyright owners can use to allow others to share, reuse and remix their material legally.

Authors/Content creators need to be aware of their own obligations or responsibilities when using others copyright material in an open environment.

These licences are easy to understand and legally robust. There is a suite of six Creative Commons licences providing a range of options between full “All Rights Reserved” copyright and the public domain.

Each licence has different rules and grants a different range of freedoms. All Creative Commons licences require that you credit the original creator when re-using their work in any way.

Creative Commons <https://creativecommons.org/choose/> guides author(s)/content creator(s) in describing how and when to use a Creative Commons licence.

WAI 262

Recognises and provides for the outcomes from the Waitangi Tribunal claim WAI 262, commonly known as the indigenous flora and fauna and cultural and intellectual property claim. The report was released on 2 July 2011 and concerns one of the most complex and far-reaching claims ever to come before the Waitangi Tribunal. It is the Waitangi Tribunal’s first whole-of-government report, addressing the work of around 20 government departments and agencies and Crown entities.

NZGOAL

The New Zealand Government Open Access and Licensing framework (NZGOAL, <https://www.data.govt.nz/manage-data/policies/nzgoal/>) is government guidance for agencies to follow when releasing copyright works and non-copyright material for re-use by others. It seeks to standardise the licensing of government copyright works for re-use using Creative Commons New Zealand law licences and recommends the use of ‘no-known rights’ statements for non-copyright material.

