



UNIVERSITETI I MITROVICËS

UNIVERSITY OF MITROVICA

"ISA BOLETINI"

Rr. Ukshin Kovaçica, 40 000 Mitrovicë, Republika e Kosovës
<http://www.umib.net>; Tel: +383 28535725/535727

Policy for Open Access to Research Infrastructures

at University of Mitrovica "Isa Boletini"

Introduction

The mission of the University of Mitrovica "Isa Boletini" is to provide relevant and high-quality higher education for the preparation of cadres in unique fields for the labor market in Kosovo, region and beyond, committed to developing research, professional projects, professional advising and to serve better on sustainable development, wellbeing, and social advancement. In line with UMIB's mission are also two of the strategic objectives related to research and institutional and international cooperation. Developing these objectives require close collaboration with industry, the community as well as local and international institutions. We see the adaption of policies for open access to research infrastructure, based on good EU practices, as a supportive and necessary mechanism in this regard. These principles provide a sound basis for defining clear and transparent procedures for how to use the research infrastructure. Through the adoption of OA to RI, we aim to attract excellent researchers and experiences, as well as to provide contract research services to industry and businesses for mutual benefit and overall sustainable economic development.

CHAPTER I GENERAL PROVISIONS AND DEFINITIONS

1. The University of Mitrovica "Isa Boletini" (hereafter – UMIB) is a Public University within which are operating six faculties, three technical faculties: Faculty of Geosciences, Faculty of Food Technology, Faculty of Mechanical and Computer Engineering and three social faculties: Faculty of Law, Faculty of Economics and Faculty of Education. The total number of programs accredited at UMIB until September 2019 was 20 study programs at two levels: Bachelor and Master. UMIB employs 97 full-time academic staff, 19 engaged, and 46 administrative staff. The total number of students in the academic year 2019/20 was 1812.

Each of the technical faculties has its laboratories at the Department level, and the focus for open access will be specific laboratory equipment and other support tools. The exact research infrastructures governed by the Policy can be found in Annex 1.

2. This Policy is applied to all **Open Access Research Infrastructures** for research and development (R&D) (technical, social, and cultural) (hereafter – **Research Infrastructure** or **RI**) of UMIB and guide the relations between UMIB and the **Recipients** of its **Open Access Services**.
3. This Policy forms an integral part of any **Open Access Services** agreement concluded between UMIB and the **Recipients** of **Open Access Services**.

4. The objective of this Policy is to define the nature of the **Research Infrastructure**, its position in the UMIB, 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.
5. The following definitions are used in the Policy:
 - **Open Access principles** – the conditions under which UMIB creates access to its Research Infrastructure for use by different groups of **Users** inside and outside the organisation;
 - **Research Infrastructure (RI)** (infrastructure for carrying out research) – physical structure (science institutes, laboratories, etc.), instruments, tools, and other material and virtual resources and related services required for the performance of modern fundamental and applied scientific research.
 - **Resources** – research infrastructure, scientists and other researchers working with the infrastructure, staff providing services to the infrastructure, conducting the operation of the infrastructure, working, maintenance and development, time of the infrastructure
 - **Services** – Open Access services approved by deans of faculties
 - **Recipient of Open Access Services** – a user (internal or external) who applied for and was granted access to the Research Infrastructure
 - **User** – a natural or legal person ordering services from the research infrastructure or requesting access to this research infrastructure to perform research
 - **Research Infrastructure Operating time** – the total operating time of the Research Infrastructure
 - **Experimental time** – the period of time within which the Research Infrastructure can be used to carry out scientific research and development works
 - **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.
 - **Off time** – the period of time which the Research Infrastructure cannot be used. This time is reserves for maintenance and repairs
 - **Open Access time** – the period of time within which the Research Infrastructure is made accessible to the users either for free or a for a fee
 - **Guaranteed Time** – the period of time reserved for external users who participated or are participating in supporting the development of the Research Infrastructure.
 - **Commercial Time** – the period of time within which the **Research Infrastructure** is made accessible for remuneration.

CHAPTER II RESEARCH INFRASTRUCTURE MANAGEMENT

6. Management and supervision of specified **Research Infrastructure** is ensured by: Deans of faculties, directors of science institutes, head of laboratory, laboratory assistant/technician and Technology Information Services, represented by its director.

7. Faculty Deans and directors of science institutes are directly responsible for commercialisation of laboratory services provided by science institute, which is regulated through the University Governing Council No. 598 regulation on the establishment of UMIB Institutes.
8. The Head of the science institute's laboratory is responsible for the accounting of laboratory occupation (distribution of the laboratory load between studies, research, and industry) and confirmation of the equipment reservation.
9. Laboratory assistant / engineer / technician is responsible for the proper training of users to work with laboratory equipment. While working with unique laboratory equipment the persons trained and able to work with specific unique laboratory equipment are responsible for the proper training of users to work with unique laboratory equipment.
10. The Information Technologies Services is responsible for functioning, support and maintenance of laboratory software.

CHAPTER III USERS OF RESEARCH INFRASTRUCTURE

11. Services of laboratories are provided to internal and external users.
12. **Internal Users** are the academic staff of UMIB (scientists of different levels of seniority), post-doctoral researchers as well as Students (PhD, Master and Bachelor programme level). Students will be vigorously monitored and supervised by trained and experienced laboratory staff.
13. **External Users** are scientists and researchers from other universities/research organizations (both national and international), industrial users, NGOs, users from government organizations, and individual citizens.
14. **Internal Users**, who wants to use or be entitled to use laboratories, reserves the required equipment by sending a request to the head of the respective laboratory via email. The head of the laboratory reviews the request and give a proposal to the Director of the Institute. Director approves the request.
15. **External Users**, who want to use or be entitled to use laboratories or their services, can apply to the Secretary of Science Institute by email.
16. After receipt of the external User's request, the Institute Secretary register this request into a logbook/online system and passes the information to the Director of the Institute. The Director of the respective Institute, in consultation with the head of the laboratory, reviews the request and give the proposal to the Science Institute Council of the Faculty, who approves the request. The Director of the respective Science Institute prepares an agreement for access to the Research Infrastructure.
17. The agreement is concluded in writing and assigned by the Dean of respective faculty. Negotiations on the contract may take place by email, but it enters into force when both parties exchange the originals.

CHAPTER IV ACCESS TO RESEARCH INFRASTRUCTURE

18. **Research Infrastructure** is accessible to the **Users** in compliance with procedures defined by the **Time of Access** to the **Research Infrastructure**.
19. The **Research Infrastructure Operating Time** is divided into **Experimental Time**, **Technical Time** and **Off Time**.

20. The **Experimental Time** is divided into **Open Access Time**, **Guaranteed Time** and **Commercial Time**
21. The Director of science Institute 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**.
22. The Director of science Institute guarantees the provision of up to 30% of all **Research Infrastructure** working time to external **Users**, if needed. The remaining working time is provided to internal **Users** and meeting of internal needs, including organisation of the process of the University studies. The quote of 30% for external users can be exceeded if the Director of Science Institute guarantees that research and study process needs are met at the University.
23. **Research Infrastructure** services are provided to internal **Users** as a priority in case demand exceeds the quota of **Research Infrastructure Resources** and related services provided to internal **Users**.
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 UMIB laboratories, Director of Institute 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 as a priority.
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 the decision to grant access is made, the Director of Science Institute prepares a commercial offer of service provision applying a calculation model of the pricing of services in accordance the following formula:

$$OC_{\text{ exterior}} = UE + MC + HRC + IOC + SMC + SAF + UIT + AVT.$$

Direct operational costs, consisting of:

UE/utility expenses – average monthly costs for the rent of the premises' area used by the equipment, electricity, heating and water (Euro /h);

MC/material required for the performance of the research and consumables – determined individually for each device. Recommended value – 20 % of the sum of utility costs;

HRC/costs of human resources – hourly rate of the equipment's service staff (Euro/h);

IOC/indirect operating costs consisting of depreciation deductions – 10 % of utility expenses and costs of consumables;

SMC/sales and marketing costs – up to 15 % of the price of services or works;

SAF/service administration fees – administration fees of various amounts, depending on the group of users that services are provided to – internal or external users. Minimum service administration fee - up to 10 %;

UIT/income tax for the provision of the University's services – fixed 15 % income tax from the price of services or works;

AVT/added value tax– 18 % of the cost of services or works.

30. University may ask the external **User** to pay an amount equal to part of the remuneration as collateral before starting to use the **Research Infrastructure**.
31. If the Research Infrastructure or one of its elements is damaged or destroyed, University has the right to request remuneration for this damage or deduct it from the collateral (described in point 30).
32. When the **User** has finished using the **Research Infrastructure** without damaging or destroying the Research Infrastructure, University shall credit the amount referred to in point 30 towards the remuneration or return it to the **User**.
33. The Director of Science Institute, who receives an application of internal **User**, automatically complies with request and reserves equipment, if the following provisions is met:
 - internal **User** is trained and has a permit to use the reserved equipment;
 - internal **User** has funds for reservation of the equipment or payment for reservation is confirmed by a different fund manager.
34. Prices for the services provided to internal **Users** are calculated in accordance with the following formula:
$$OC_interior = UE + MC + HRC^* + IOC;$$
 - * if equipment is reserved with services of the services staff.
35. 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

36. Income received for provision of RI services has to be used for the up-keep, improvement and renovation of RI, improvement of qualification of the staff conducting maintenance, operation and development of RI, salaries and other expenses directly related to insurance of RI services.
37. The income received is distributed as follows: part of the received income is deducted for utility expenses, materials required for research and operation of equipment, and human resources.
38. Accounting of these funds is conducted in the University Budget and Finance Office.
39. Utility expenses are collected and used to pay for the Science Institute expenses for premises' rent, electricity, water and heating expenses.
40. Expenses for materials required for research and consumables are collected in the University Budget and Finance Office fund, which is used for buying of consumables for equipment and materials required for research and payment for small repairs of equipment.
41. Depreciation deductions are deducted from the received income and collected in the University's common depreciation fund. The purpose of this fund – to collect enough funds that can be used for:

significant equipment repairs, replacement of equipment when it is worn or co-financing of acquisition of expensive consumables.

42. Costs of human resources are collected at the University Budget and Finance Office and used to cover the costs of the salary of the employee providing services.
43. Sales and marketing are deducted from the received funds and collected at the University Budget and Finance Office. These funds can be used for the following:
 - Presentation and promotion of the **Research Infrastructure** equipment and services at the exhibitions, events, conferences, companies nationally and internationally for the attraction of the customers, including preparation of distributed material;
 - To cover the expenses related to the sales of services and use of equipment;
 - To cover the expenses of provided services, preparation and update of the lists of equipment and information.
44. Income tax for the University's service provision – income is deducted as a fixed part of the price of provided services, which is used for maintenance of the **Research Infrastructure**, transferred and accounted at the University's Finance.
45. 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

46. The Science Institute Director 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 Director and external **User**.
47. Ownership and management of intellectual property are regulated by national Intellectual Property rules. Confidentiality obligations will be part of each contract.
48. In the case of research performed by external **Users**, all intellectual property produced by the external **User** within the **Open Access Time** shall be the intellectual property of the external **Users** unless otherwise specified in the contract.
49. In the case of research performed by external **Users** as part of the **Guaranteed** or **Commercial Access Time**, all intellectual property questions will be specified in [the contract/ a special agreement signed for this particular access].
50. In case of the research performed by internal **Users**, ownership of results that can be protected as industrial property and authorship of artistic creations will follow national legislation and will also reflect any future internal IP Policy/ regulation. A discussion may need to be held about making the results available **Open Access publication**, adhering to the Open Science principles.

CHAPTER VIII DISPUTE SETTLEMENT

51. 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 respective Science Institute Director.

52. After receipt of a written claim or complaint, the Science Institute Director transfers it for the consideration of the specially formed bodies.
53. Any claim or complaint must be considered and examined in 15 calendar days from its receipt. Responsible Science Institute prepares an answer and sends it to the applicant by email in 3 working days.
54. In case a dispute is not settled, interested persons can protect their rights under procedure established by the national legal acts of Republic of Kosovo.

CHAPTER IX FINAL PROVISIONS

55. This Policy is amended or repealed under the order of the University's Rector.