Saxion Data Re-Use Protocol

January 2018

1. Saxions stance on Open Science

Saxion maintains it is essential researchers participate in Open Science to the fullest extent possible. Open Science means releasing as much information collected during the research process and its products to the public as possible. It includes, among other things, Open data, Open Access and Open Metrics. The Data Re-Use Protocol addresses how researchers at Saxion can open their research data to others.

The depositing of research data into Saxion repository is mandatory. Saxion wishes to be as open as possible in this. There are a number of approaches that can be taken with data, from very open to reasonably restricted. Sometimes personal information or intellectual property rights stand in the way of openness. Saxion researchers need to be aware of how they want others to re-use their data and communicate any terms and conditions that re-users of the data must follow.

Prior to decisions being made concerning the openness of data, researchers must ensure that:

- the ownership of the data is clarified, and that the researcher has the right to make the data available

- reuse of data is compliant with legal restrictions concerning privacy and confidentiality

- any commercial implications of making the data available have been considered. Data that has been made available is considered to be 'disclosed' and cannot be used to support a patent application.

2. Licensing

Research data may be published with several licenses. A data license is a legal instrument that informs users of what is permitted with the selected research data. A license must be chosen prior to the depositing of research data in the Saxion repository. Unless otherwise indicated, the metadata of all research data deposited in the Saxion repository will be directly made open.

For openly accessible data, a standard open license is the most effective way of ensuring appropriate re-use. An open license enables some rights be reserved for the owner of the material, but grants re-users more rights than would be available simply under copyright legislation. Adopting a standard license is a pre-condition to depositing in the Saxion repository.

Saxion researchers are encouraged to consider using the standard open licenses described below. Licenses enable clear indication of data ownership, the researchers wishes concerning the ways in which the data can be re-used and how researchers want to be attributed.

Review of licensing frameworks

There are a number of different data licensing frameworks available globally. Creative Commons licenses are believed to be the best solution for Saxion researchers at this point in time. For data made openly accessible, the Creative Commons framework is the current recommendation for Saxion researchers. The advantages of Creative Commons over other licenses include:

• Based on copyright legislation

• Has a large existing community of adopters

• Is a globally recognised license, having international (enforceable in any jurisdiction) and local application

• Clearly expresses how the data may be used

• Offers a range of licenses for different situations.

Choosing a Creative Commons license

Creative Commons licenses, also known as CC, are made up of four building blocks. "By", "share-alike", "no-derivatives", and "non-commercial use" form the foundation of a CC-license. These four building blocks can make six different licenses. These licenses are cc-by, cc-by-share-alike, cc-by-non-commercial, and cc-by-no-derivatives as indicated above as well as cc-by-non-commercial-share-alike and cc-by-non-commercial-share-alike.

"By" is a standard beginning. It means you are free to reuse the work as long as you mention who made it. You may copy, adapt or modify, distribute (publish, display, publicly perform or communicate the work), and license to others.

"Non-commercial" means your work cannot be used for monetary gain. You may copy, adapt or modify, distribute, and license to others.

 "Share-alike" means you can reuse the work as long as you share the new work with the

same license. You may copy, adapt or modify, distribute, and license to others on the same terms as the original work.

"No-derivatives" means nobody can copy, distribute, show or build upon your work unless your work stays in the original form. You may copy, distribute verbatim copies only, and license to others.

cc-by-non-commercial-share-alike means you can copy, adapt or modify, distribute, and license to others on the same terms as the original work as long as there in no monetary gain involved.

cc-by-non-commercial-no-derivatives. Which allows you to copy, distribute verbatim copies only, and license to others as long as there is no monetary gain.

A good principle to apply is to use the least restrictive license that is applicable to your data collection. If you want your data to be as widely used as possible, the Creative Commons Attribution only, would be the most useful for that aim.

Where you would like to make your data available but only under certain conditions or by negotiation, you can use a restrictive license or other written agreement (such as a Data Transfer Agreement). You may consider this approach when data contains personal or other confidential information, or when you want to impose some other type of limit or condition such as a time limit on use or some form of payment option.

If you would like to make use of a restricted license or other written agreement please contact Saxion Research Services.

No rights reserved: copyright waivers and public domain dedications

Some types of license or agreements enable researchers to place their work in the public domain. In a legal sense, placing work in the public domain means that as the owner of the data, you are waiving all your rights and protections offered by copyright.

It is currently not recommended that Saxion researchers waive rights to their data collections without considering the implications of this. At a minimum, you should seek to retain the right to be attributed as the creator of the data, since standards and tools for data citation are emerging, and in future citation of data may be an important metric for research impact.

If you strongly want to, or are required by an archive or repository to, use a copyright waiver or public domain dedication, you should find out whether any "community norms" statements can be applied: these will not be legally binding but can signal your wishes to potential re-users around attribution, where this is practical for the re-users. Please contact Saxion Research Services for help with this mater.

All rights reserved: relying on the Copyright Act

You can reserve all your rights under the Copyright Act. This means that people can view and download a copy of the data for private research and study only, and that you must be attributed as the owner or creator of the data. Potential re-users need to contact you to ask for permission for any other type of activity, including re-publishing.

While reserving all your rights can be useful for publications, in the case of data it could limit the research impact of your work by restricting users from undertaking some common research activities, such as deriving data or aggregation of your data with other datasets.
If your goals in disseminating your data are to facilitate the greatest re-use of the data, then applying an open license or restrictive license will be more effective than relying on copyright legislation.

3. FAIR data

FAIR stands for Findable, Accessible, Interoperable, Reusable. Making your data (including articles, algorithms, tools workflows, etc) FAIR involves meeting the right standards to allow machines as well as people to find and use your data.

Making research data FAIR allows you to easily make use of the work of others and also increases your own impact by making it possible for others to easily make use of your work. It is possible for non-Open data to be made FAIR by applying the correct standards. Also, information that is Open can be un-FAIR. The following schema explains the FAIR principles are and what they mean. For more detailed and technical information over making your data FAIR please contact Saxion Research Services or visit the GO FAIR Initiative website (https://www.dtls.nl/fair-data/go-fair/).

FAIR Data Principles in Brief

- **To be Findable:**
    - (meta)data are assigned a globally unique and persistent identifier
    - data are described with rich metadata
    - metadata clearly and explicitly include the identifier of the data it describes
    - (meta)data are registered or indexed in a searchable resource

- **To be Accessible:**
    - (meta)data are retrievable by their identifier using a standardized communications protocol
    - the protocol is open, free, and universally implementable
    - the protocol allows for an authentication and authorization procedure, where necessary
    - metadata are accessible, even when the data are no longer available

- **To be Interoperable:**
    - (meta)data use a formal, accessible, shared, and broadly applicable language for knowledge representation.
    - (meta)data use vocabularies that follow FAIR principles
    - (meta)data include qualified references to other (meta)data

- **To be Reusable:**
    - meta(data) are richly described with a plurality of accurate and relevant attributes
    - (meta)data are released with a clear and accessible data usage license (meta)data are associated with detailed provenance (meta)data meet domain-relevant community standards