

The background of the entire page is a portrait of Vincent van Gogh's 'Self-Portrait with Bandaged Ear'. The image is overlaid with a repeating pattern of semi-transparent copyright symbols (©) in a light blue color. In the top right corner, there is an orange rectangular box containing the text 'Education International' in white.

Education
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Education and copyright

PERSPECTIVES FROM THE CLASSROOM



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Cover page: the design, repurposes the following piece of art: Self-Portrait, Vincent van Gogh, 1889
Image source: Wikimedia, DcoetzeeBot, 2012.
Image in the public domain.



Education International is the Global Union Federation that brings together teacher unions from across the world representing more than 32 million teachers, researchers and education support personnel. Learning from the [Marrakesh Treaty](#), we do believe that an international instrument for copyright exceptions and limitations for education and research purposes is needed not only to enable national level reforms, but also to address the rapidly increasing educational and research exchanges across borders.



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NEW EI RESEARCH

Classroom perspectives on copyright and education

We know from WIPO's and our own research, that copyright legislation is inadequate for education today. It creates barriers to ensure the right to education as well as curtails teachers' academic freedom to choose and adapt materials including for cross-border collaboration and exchange.

Teacher wants to show a short YouTube video in a live online class. **Is it legal?**

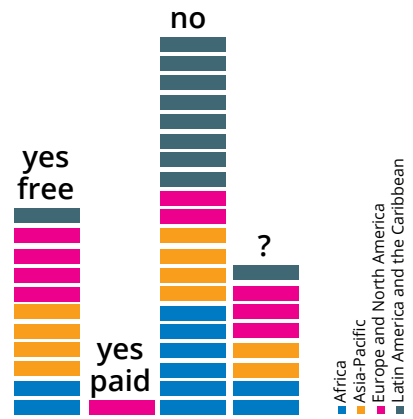


Figure 1 Nobre, T. (2022) *Is it legal? Education and copyright in the digital age*. Education International.

Our new research goes beyond legal analysis and shares the perspectives of teachers on the impact of copyright on teaching and learning.

Take a look at the research that will be launched later this year →

Perspectives from the classroom

RESEARCH IN KENYA AND SENEGAL

Kenyan and Senegalese teachers from elementary to higher education from rural and urban areas are taking part in this research through surveys and focus group interviews.

Interim findings from our study:

- © **Types of materials teachers use:** Teachers make use of a large variety of resources - traditional educational materials as well as other digital/non-digital, broadcasted, openly licensed/copyright-protected materials to cater for the diverse needs of their students.
- © **Amount of copyright-protected materials teachers use:** Most of the time, teachers use parts of copyright-protected materials and only use the entire material if it is a short work (e.g. a poem) or an image (e.g. photograph). Often, teachers also decide not to include copyright-protected materials in examinations or presentations.
- © **Children with disabilities:** Inadequate access to teaching and learning materials for children with disabilities is a major concern for teachers.
- © **Biggest copyright obstacles:** Uncertainty about copyright laws, limited permissions to use materials and costs are the biggest copyright-related obstacles for teachers. These force the majority of teachers to either refrain from using materials, even if they would be good for their class, or use them without authorisation or pay out of their pockets.
- © **Teacher training on copyright:** The majority of teachers has never received training on the use of copyright protected materials for teaching.

Perspectives from the classroom

RESEARCH IN FIJI AND PHILIPPINES

Fijian and Philippine teachers from elementary to higher education from rural and urban areas are taking part in this research through surveys and focus group interviews.

Interim findings from our study:

- © **Teachers use a wide variety of copyrighted material:** Educators are using a wide variety of copyright-protected materials such as videos, music, illustrations, PPTS, journal articles, websites (including blogs) and textbooks.
- © **Teachers use the materials for teaching and complementary activities:** Teachers embed these materials into their teaching materials, distribute them to their students or colleagues or make these materials available on a teaching platform (like Moodle for example).
- © **Many educators liked the idea of using material from the internet for teaching:** This applied to platforms such as YouTube and Vimeo. Regardless, many educators found the main challenges of sourcing teaching and research materials they wanted to use had to be paid for (behind a paywall, for example), which limited their ability to get up-to-date, high-quality material.
- © **Teacher training on copyright:** Most educational institutions have some form of institutional copyright policy, but only half the institutions deliver some form of workshops that train educators on copyright law. Consequently, less than 36% of educators reported attending some form of copyright training, implying that the rest of the respondents had no copyright training.
- © **Teacher's awareness of copyright:** The survey showed that teachers try to comply with copyright law, however, the lack of knowledge about how copyright works (e.g. copyright protection of materials that are freely available online) can lead to situations where their uses of copyright-protected materials are not permitted by law. If the educator believed no evident copyright existed – they used the material without restraint.

Perspectives from the classroom

RESEARCH ON CROSS-BORDER TEACHING ACTIVITIES

Higher education teachers and researchers are taking part in this study. They will share with us their experiences on cross-border teaching activities and the obstacles related to copyright that they commonly face when working across borders.

Interim findings from the literature review:

- © A number of research studies have been performed and several articles written about copyright in the digital teaching environment broadly. Most recently, these have focused on the effect of the COVID-19 pandemic on remote pedagogy. They address the feasibility of a shift towards remote learning, and largely conclude that, as the spread of the COVID-19 virus forced educational institutions to transition to online education, educational institutions from a variety of jurisdictions faced problematic copyright barriers to remote teaching. Additionally, they conclude that there are copyright problems particular to different jurisdictions. Surprisingly, **there is a dearth in the literature on the effects of the COVID-19 pandemic and its resulting increase in remote teaching.**
- © The other category of literature concerns primarily Open Educational Resources (OER) in various specific jurisdictions, including China, India, the UK, and others. There seems to be an implied consensus **that higher education institutes aiming to increase the use of OER should encourage more conversation around OER and copyright literacy, and provide support for the adaptation of resources to teachers' instructional needs and their specific teaching contexts.** These articles illustrate that use and demand for OER also speaks to the problem of cross-border copyright differences in itself, although no sources explicitly discussed this topic.
- © **Taken as a whole, our literature review shows that there are very few sources that specifically discuss cross-jurisdictional copyright barriers to teaching from the perspective of teachers. Our research will contribute to closing this research gap and help inform policy debates on international copyright reform.**

WHAT HAVE WE LEARNT SO FAR?

- © Teachers rely on access to quality educational resources including options to make these materials accessible for students with disabilities.
- © Teachers work with a variety of resources to provide modern education including copyright-protected materials and therefore rely on copyright expectations that are broad and flexible enough that stay relevant as innovation advances.
- © Teachers mostly use part of copyright-protected works.
- © Teachers need training on copyright legislation to make informed decisions about the use of materials for education.
- © Copyright-challenges in relation to cross-border educational activities require further attention through global policy reforms at WIPO that are informed by evidence from the classroom.



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Research and
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Copyright

***We need Copyright exceptions and limitations
for education and research purposes***

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