

Access and Use of Teaching and Research Materials from A Copyright Perspective in Fiji and the Philippines

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Executive summary

High-quality teaching and learning environments are essential if an individual can achieve their full potential (Te Kāhui Tika Tangata Human Rights Commission, 2023). However, to achieve a high-quality education, educators need access to essential teaching resources. Fiji and the Philippines are considered countries with developing economies, and consequently, the money spent on education and research is lower than in wealthier countries. This is a serious problem on many levels, particularly for teaching and research outcomes, because educators need access to copyrighted material to undertake their mission.

Several questions arise from the above-mentioned challenge: How do institutions manage copyright practices? What are the tools and mechanisms used to instruct educators on copyright law? How are copyright practices applied in educator's teaching and research? Meanwhile, copyright law is becoming more important to educational institutions. This has perhaps never been more so than in the last decade, with ever-increasing new digital technologies providing greater access to copyright material. However, trying to fit the copyright legal framework into the existing educator practices in both Fiji and the Philippines continues to prove a challenge



for those who want to protect their copyright rights and for educators who wish to gain access to up-to-date teaching resources and research materials.

This study fills the gap created by the lack of research on educators' perspectives on copyright protected resources in Fiji and the Philippines and identifies the challenges and strategies they undertake when confronted with material protected by copyright law. Some of the significant findings from this research include the following:

- **Most educational institutions have some form of institutional copyright policy, but only half of 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, which may indicate that the rest of the respondents never attended any form of copyright training.
- **Confusion over a workable approach to copyright law.** This was identified in two areas; how a valid copyright is established [and maintained], how infringement of that right occurs and what uses qualify as fair dealing or fair use. Most educators believed that an original work had to be registered to establish a copyright, but more importantly, if the educator believed no evident copyright existed, they used the material without restraint. Despite this, educators tried to comply with copyright law. Additionally, the educators believed that if they referenced the material, they were able to use any [or all] of the material for educational purposes by either embedding the material into their teaching materials, distributing the material to their students or colleagues, or making it available on a teaching platform (like Moodle for example).
- **Access to a wide variety of copyright material.** Educators use a wide variety of publicly or not publicly available materials in their work such as videos (including YouTube videos), music, illustrations, PPTS, journal articles, websites (including blogs), in addition to traditional textbooks. No specific question was made regarding the nature of the material, whether the material was open sourced, free to access, or copyright protected. Educational practitioners encountered challenges when attempting to reach different types of materials and resources extending beyond the traditional printed textbooks. Despite their genuine intent to foster students' growth, they were limited to materials solely geared towards exam preparation.
- **Many educators liked the idea of using videos for teaching and research but believed that these materials had no copyright restrictions on them.** This applied to platforms such as YouTube and Vimeo. Regardless, many educators found that the main challenges of sourcing teaching and research materials they wanted to use is that they had to be paid for (behind a paywall, for example), which limited the ability of teachers and researchers to get up-to-date, high-quality materials.
- **Educators encountered substantial obstacles in their teaching endeavours due to copyright constraints.** These obstacles limited both their resource options and instructional practices. Other than identifying that the expenses associated with copyrighted materials are often prohibitive to teachers, participants in this study reported to struggling with limited permissions that hindered their access to educational resources. The findings also revealed a degree of uncertainty, with one in five participants expressing uncertainty on whether copyright protections apply to certain materials, and, therefore, if they can use the material or not. A proportion of educators faced challenges in acquiring the necessary materials. Only 16% of respondents reported no copyright-related access issues.

- **This study highlights the ongoing challenges that educators face to legally access and use materials** that ignite and nurture students' growth. The financial burden often proves overwhelming, with educators personally bearing the costs. Despite their efforts to source valuable materials, they often find themselves navigating the intricate landscape of copyright law and regulations without the necessary institutional support, sometimes unaware of the implications of using such resources. Even though teachers might not have a good understanding of copyright laws and might even think that it is okay to copy entire materials, the findings suggest that educators tend to choose to share the material with students in ways that do not negatively affect the market for the original work. This reflects their emphasis on the educational intent behind using the material and the accessibility of its use.



The full research paper can be found here:
<https://eiie.io/2023CopyrightsFijiPhilippines>



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