
Creator, rebel, guardian, unsuspecting user.

**Teachers and modern
educational practices.**

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COMMUNIA is a network of activists, researchers and practitioners from universities, NGOs, and SME established in 10 Member States. COMMUNIA advocates for policies that expand the public domain and increase access to and reuse of culture and knowledge. We seek to limit the scope of exclusive copyright to sensible proportions that do not place unnecessary restrictions on access and use.

1. Introduction

This report presents the findings of our qualitative study on the perception and application of copyright by school teachers. The study was conducted among thirty teachers in five countries: Estonia, France, the Netherlands, Germany and Poland, from November 2016 to January 2017. It is part of the good copyright for education project, “Copyright for Education” carried out by the Communia association and financed by the Open Society Foundation.

The many discussions about copyright and permitted use for educational purposes rarely include the people who are the most affected: teachers and other educators. In our study, we want to show how teachers perceive copyright and how copyright laws may affect how teachers apply new technologies and contemporary educational practices. We have talked to teachers about whether copyright helps or hinders them in day-to-day work and in the use of innovative solutions.

The results of this study are used as evidence for our advocacy activities. At the same time, we would like to emphasize that our researchers did not suggest any vision of copyright in education to the responding teachers. Nor have we checked teachers’ opinions against the backdrop of the actual legal regulations in their respective countries. In this study, we have let teachers speak for themselves.

We would like to express our gratitude to the Estonian, French, Dutch, German and Polish teachers who elected to share their opinions. We would also like to thank our researchers: Judith Blijden (Netherlands), Valérie Marcon (France), Friederike Siller (Germany) and Hans Põldoja (Estonia).

2. Executive Summary

We asked thirty teachers from five European countries about copyright in schools. Our respondents included teachers implementing education innovations and actively using new technologies. These are our study's key findings:

The best way for teachers to gain familiarity with copyright is to become creators of educational materials. Such creators have two options: either use copyright to protect their work or share it using a Creative Commons license.

The other reason why teachers become aware of copyright is related to their students. Teachers have to explain to them how materials may be used legally.

The Internet has turned copyright into an important topic in schools. Copying web content and sharing and exchanging proprietary materials compel teachers to pose questions regarding legal issues.

The best teachers who are ambitious and innovative have gained copyright knowledge by learning on their own or through supplemental training. In copyright they see not only a tool that can be helpful in using educational materials but also a source of limitations and uncertainty.

Nevertheless, most teachers are bereft of copyright knowledge. They are not taught copyright during their studies, nor do they obtain any support from their own schools or the education system. In their case, copyright prevents them from using digital resources and expanding the range of materials they use.

Creator, guardian, rebel and unsuspecting user are the four most common roles teachers play when it comes to copyright. These roles depend on the level of familiarity with new technologies and the degree to which they

consider educational objectives to be more important than copyright protection (or conversely).

Many teachers who create content apply copyright not to protect their work but rather to share it. They emphasize the importance of community with other teachers and the ensuing willingness to exchange resources.

3. Why did we ask teachers about copyright?

The European Union is currently undergoing its first important copyright law reform in more than a decade. As part of this reform, permitted use for educational purposes is also being discussed along with the broader topic of the regulation of copyright for education.

Debates, however, rarely include the opinions of practitioners: teachers and other educators, managers of education institutions, students and their parents. Oftentimes, one may get the impression that copyright in education may be limited to properly designing the system of licenses offered by publishers.

We believe that a debate on copyright law for education should be focused primarily on educational purposes. We must pose ourselves the question about the type of copyright contemporary education needs. In particular, what regulations would allow teachers to use diverse content freely, create and share their own resources, and use different tools and services for teaching purposes. We believe that by doing that, we will be able to interconnect the debate about copyright in education and the objectives of education policy.

In general, Europe has special rules in place governing the application of copyright in education. The general principle posits the existence of some exceptions or reliefs allowing educators and students to use content freely for educational purposes. Those regulations, however, are not consistent; there are countless exceptions from, and limitations of, this general principle. In some countries, the educational exception requires payment of a fee, while in others it is based on licensing solutions.

We believe that putting these things in order will benefit teachers and education systems in European, including informal and non-formal education. We also think that the regulations adopted at the beginning of the 21st century should be updated.

3. About this study

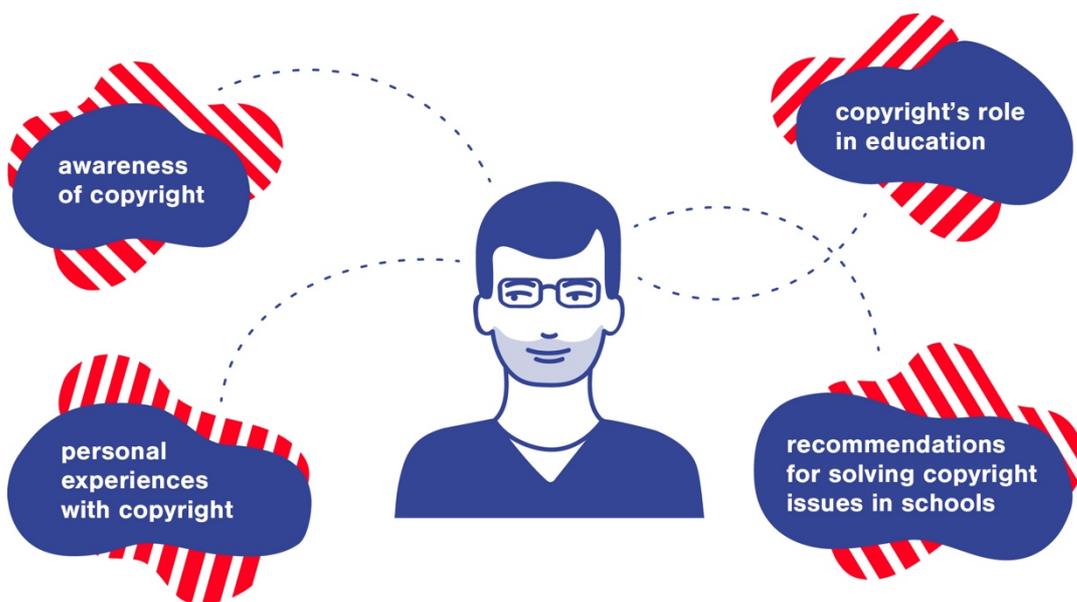
Objectives and assumptions of the study

This report presents the findings of our qualitative research into teachers' experiences with copyright. Our respondents included teachers implementing innovative teaching methods and actively using digital technologies. We have talked to 30 teachers from Estonia, France, the Netherlands, Germany and Poland. We were looking for experiences, challenges and recommendations shared by teachers in all these countries.

This study forms part of the advocacy project promoting good copyright for education. Through this study, we wanted to gain a better understanding of how teachers use educational materials in their work, how they create and share their own resources. All these matters are regulated by the copyright system.

We also asked them direct questions about their knowledge of copyright laws. Some of our respondents were very familiar with them and spoke directly about their experiences. For others, copyright was just a secondary topic in discussions about teaching.

We wanted to find out what role copyright plays in education. How often the most creative teachers had to deal with copyright and what their personal experiences were. Also, how aware were they of copyright law; did it support or hinder them from doing their work. We also asked for their recommendations on how they believe the education system could handle copyright better.



Respondents and their work environment

When selecting respondents, we searched for exceptional teachers: those who use contemporary teaching methods, experiment with innovative

approaches and use digital technologies in teaching. This is something they all share. Otherwise, the teachers participating in our study are a very diverse group. What makes them different is their age, years worked in education, the subject they teach, their education, nationality and language. The youngest of our respondents is 27, while the oldest is almost 70. Some of them have worked in a school for just a few years, while others have spent more than 30 years in front of a blackboard.

All our respondents declare that working in a school was their conscious choice. The vast majority also have other non-school work experiences: they work with adults as coaches and trainers, they give lectures in universities. Some of them worked in other fields before they became teachers: as IT specialists, translators and engineers. Some of them also have education other than pedagogical. For example, a respondent from the Netherlands studied neurology, a teacher from Poland is educated in patent law and others are graduates of technical universities (majoring in IT, mechanics).

Our study has shown that all those things – different professional experiences after school, non-pedagogical education background – affect their approach to teaching and their attitude toward copyright. In the school environment they distinguish themselves with their non-standard thinking, creativity and innovativeness, which often gives them a special position in their school and garners respect not only from students but also from fellow teachers.

Our respondents value the following in being a teacher:

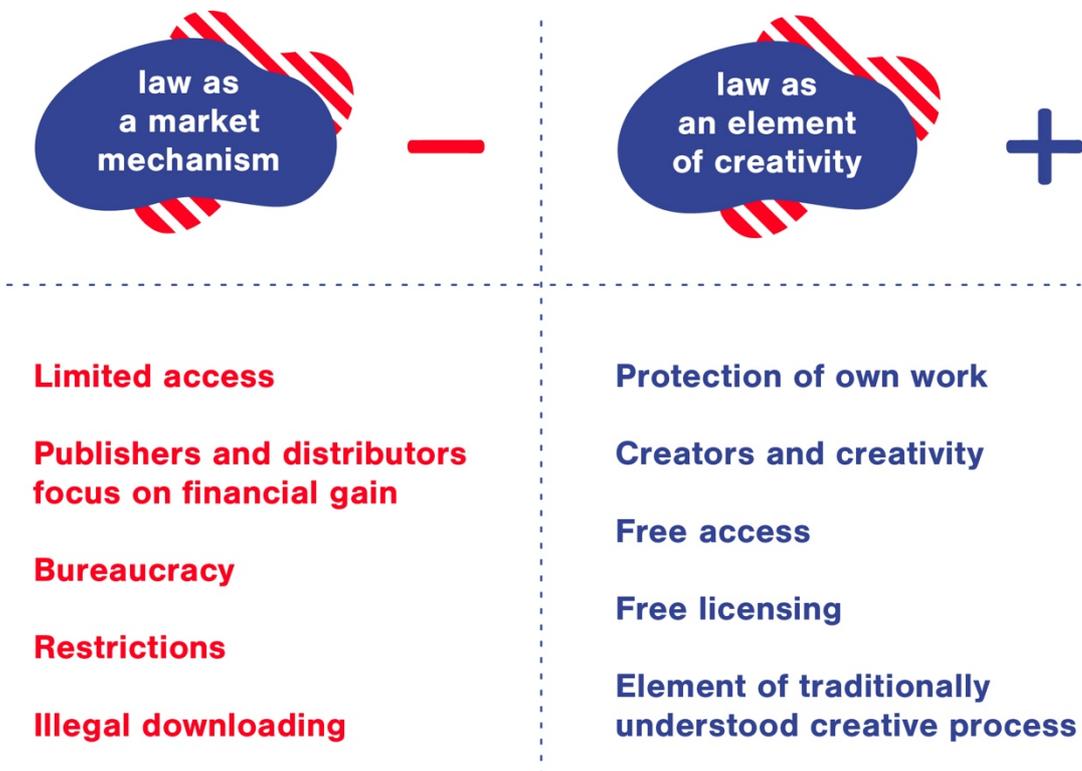
- Authentic contact with students
- Autonomy of what they do in the classroom
- Self-development opportunity
- Flexible nature of their work, allowing them to pursue other activities
- Relatively secure employment

What they dislike in being a teacher:

- Hierarchical structure in schools
- Low level of support and cooperation among teachers
- Limited time to prepare for classes
- Emphasis on tests, instead of on the learning process
- Decisions of education authorities often implemented without much creativity or thought

The teachers participating in our study work for public and private schools at all stages of education. They include teachers working for elite schools: private institutions located in state capitals, with a relatively high cultural capital of their students. On the other hand, we also talked to representatives of district (“mass”) schools in small towns where parents struggle with numerous social and economic constraints.

4. How teachers understand the term “copyright”



Teachers perceive copyright law as a term that is full of contradictions. On one hand, there are many associations that teachers themselves define as positive. They report associations such as: protection of one’s work, creator and creation, free access, free licenses. On the other hand, the same persons have some clearly negative associations, such as: prison, compulsion, oppression, limited access, profit-driven distributors and publishers, bureaucracy, restrictions, illegal downloads.

What makes teachers perceive copyright this way? The study has shown that positive associations appear thinking about copyright as an **element of the traditionally defined creation process**. So, we have a specific author linked to a creation that has unquestionable esthetic and/or intellectual value, for example a literary work or a painting. One of the teachers puts it this way: If we have a work, then it means we have an author. I automatically think about some great work of art and its author, such as Homer's "Iliad" or "Dziady" by Mickiewicz. In this context, copyright is linked to those works and is not in dispute".

Copyrights are also perceived as something positive if teachers see themselves as **creators** protected by those rights, usually as creators of some kind of educational materials. In such a case, copyright becomes a tool needed to protect their own work, the work of their students and other teachers. Such copyright, which is close to their personal experience and operates to protect their interest, is perceived as something obvious and good. Therefore, respondents have a positive perception of copyright as a concept, if applied to educational and scientific content developed by people associated with education and for educational purposes.

Negative associations emerge, however, when thinking about copyright as a market mechanism whereby publishing houses, film production companies and other commercial entities, frequently perceived as monopolizing access to culture earn money. This refers to use for education purposes (during lessons with students, when preparing materials for lessons or when students prepare presentations). This also pertains to software and applications. In this context, uncertainty appears in teachers' statements concerning the legality of their own actions or the requirement to incur fees. Copyright ceases to be a useful tool; instead of that, it becomes an obstacle in educational work.

The first tension comes to the forefront in respondents' statements between the protection of intellectual property (and drawing earnings from that) and access to high quality educational resources. While most respondents admit that they respect the notion of copyright and endeavor to abide by its rules in their day to day work, they do list one exception from this rule being a situation in which there is a dearth of access to free-of-charge materials of good quality. One respondent frames the issue this way: "I am the first one to defend copyright, educate schoolchildren, train other teachers and draw parents' attention to this issue. However, the problem is rooted in the fact that I am not able to find everything in open sources. I am not always able to find open source applications whose quality is parallel to commercial ones. Students are recently bearing the brunt of this problem because the pool of opportunities and applications is growing narrower...". Some teachers admit that when faced with the following choice: the good of a student or the good of some publishing house, they choose the former and **are willing to violate copyright in order to convey the appropriate knowledge to students**. We will revisit this theme later in the report.

5. Where do teachers obtain their knowledge about copyright?

Respondents admit that they gained an awareness of copyright relatively late in their careers. Our respondents included exceptional teachers counted among the top teachers who harness the power of digital technologies in their jobs. They also frequently serve as trainers of other teachers, teaching leaders and propagators of such methods. These persons frequently have sophisticated knowledge about copyright. However, they admit that the overall level of awareness among teachers is very modest.

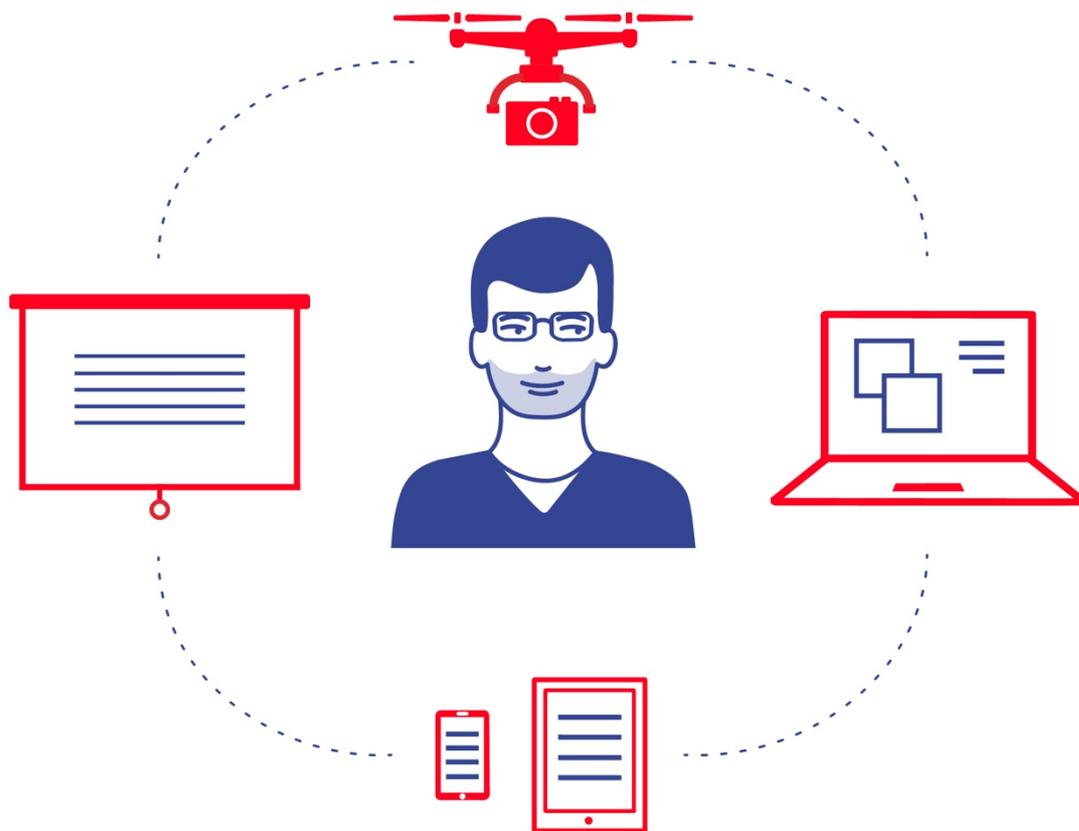
The nearly total lack of support provided by the education system in the stories told by teachers about acquiring copyright knowledge is surprising. **Most teachers do not recall encountering copyright as a topic during their studies as teachers.** The people who have subject matter knowledge usually acquire it during additional training sessions in the framework of projects or from other teachers. Others claim that they had to acquire that knowledge on their own.

Thus, copyright in schools manifests itself as an issue that is unregulated institutionally, thereby necessitating individual initiative. For more ambitious teachers it is an opportunity for self-development, to distinguish themselves from others. For other teachers, it constitutes an area of uncertainty while others ignore it entirely.



Here there are two paths, sometimes interconnected, through which copyright enters respondents' lives.

The first one is related to students **who frequently use third party materials** when doing their homework or projects. In this instance teachers face the issue of using external sources and creating content that frequently prove to be compilations of materials pasted directly from the web. They must react somehow – they must exhibit one of the behaviour types (roles we describe in detail below), enforce observance of the law, or perhaps ignore it? The teachers we polled admit that in this case they acquire the requisite knowledge as a matter of necessity. Subsequently, they strive to educate their students about copyright and be mindful that these rights are not violated during lessons or when doing homework. Here some teachers highlight that students ordinarily show a greater familiarity with the law.



The second path pertains to teachers **who are authors of educational materials which they subsequently publish**. These materials may be lesson scripts, presentations, recorded lessons or educational blogs. This often refers to teachers who also work as trainers of other teachers, who run training courses or deliver lectures – they usually create their own content. What is crucial is that they make these materials available, customarily through the web. Such teachers customarily learn that they are vested in rights that protect them and their work. As one of the Estonian teachers observes: „The best way to learn about copyright is to become an author and to publish your work”.

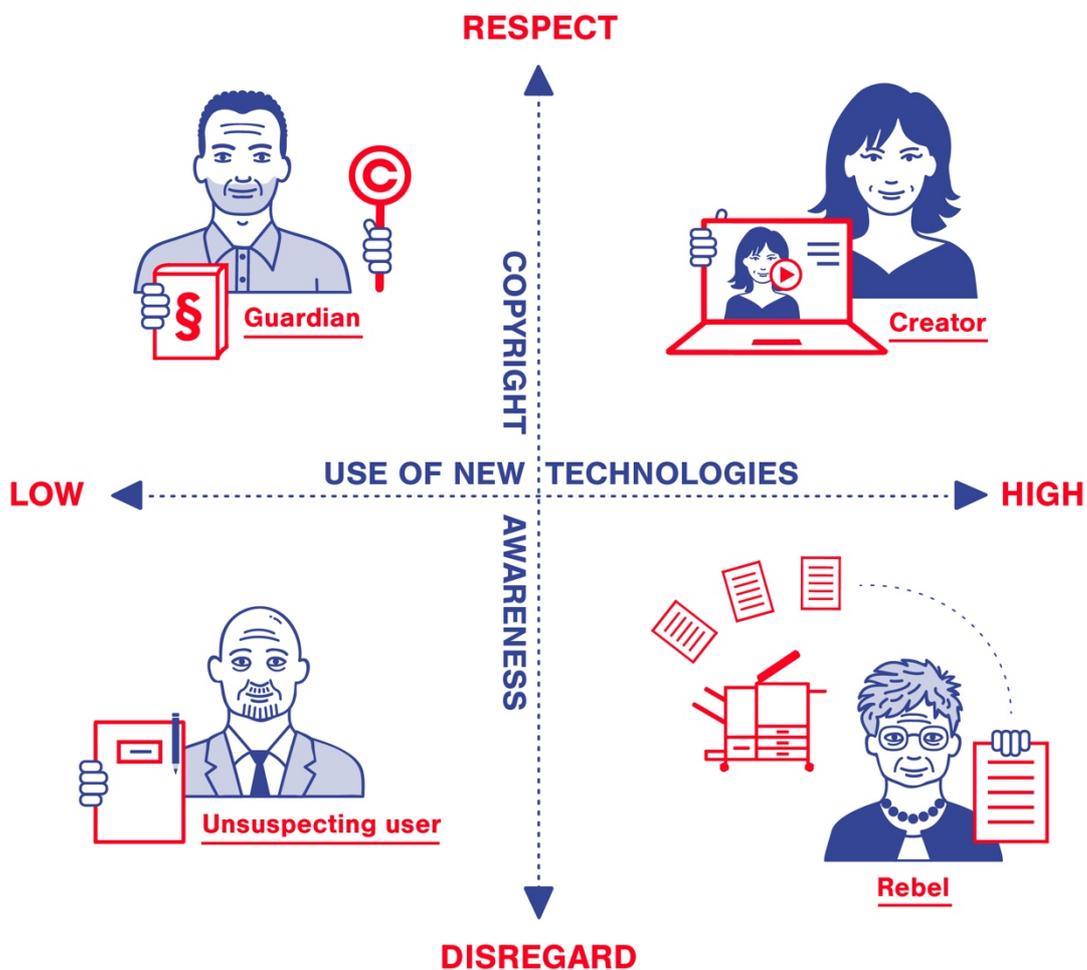
Circumstances in which these rights are violated make a special contribution to shaping awareness. As one respondent puts it: “The situation is that I record a lesson for the purposes of a given project because it is supposed to be used in the project only internally. I concur to that usage. Then later, I learn during training courses, people call and tell me that they saw my lesson at a commercial training course for which someone else is charging a fee. The worst thing is that I even know that person and despite my intervention that person continues the practice.”

6. Teachers’ four roles related to copyright

How teachers interact with copyright, how they gain subject knowledge and their experiences exert an influence on the roles they play in reference to copyright in schools. We have defined four major types based on our interviews: guardians (toward students), rebels (for educational purposes), authors (sharing in the web) and unsuspecting content users. These four types

of behavior are the outcome of interactions between two axes. One axis describes the level of copyright knowledge; the other axis defines their degree of respect for copyright.

These four roles do not describe, of course, the full array of behaviors and attitudes taken by teachers to copyright. It is worth remembering that specific teachers may alter their types of behavior. Our study does not form sufficient grounds to state how frequently a given type of behavior appears among teachers – it did, however, make it possible to describe typical attitudes to copyright.



The first three roles are typical of the teachers with whom we talked. In turn, the role played by the unsuspecting user is typical for average teachers – at least that is how our respondents perceive this type of user.

Creators are teachers who are seasoned content authors who create their own materials and share them – that is frequently how they acquire their copyright knowledge. Authors often treat copyright as an important tool aiding them in their work and protecting their interests. It is also a tool enabling them to gain more recognition and appreciation. Thus, their copyright knowledge is often extensive and is associated with their high level of respect for the law, including others' copyright.

Creator

Creates her own resources and wants to share them. Knows copyright well, because it is a useful tool in her pedagogical work.



The next group consists of **rebels**. They also frequently have extensive copyright knowledge. They declare that educational objectives are higher ranking than copyright requirements. They are ready to ignore copyright or deliberately violate copyright – by pointing out that copyright hinders them from running their lessons at the highest possible level and that their schools are not able to afford to buy these materials. Oftentimes, they outright think that it is unethical to pay for content if the objective is for the “good of a

student”. They are rebels in a romantic sense, somewhat like Robin Hood. They feel compelled to breach the law by the solutions imposed on them by major music businesses, publishers and distributors. One of the respondents said unabashedly: “I would like for copyright not to play any role whatsoever in school”.

Rebel

Believes that educational goals are more important than protection of copyright. Therefore willing to break the law, despite knowing it quite well.



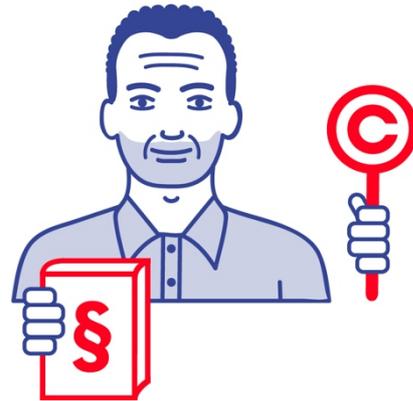
There are also authors who are simultaneously rebels – they declare that copyright is of no consequence, thus they elect to ignore it. One of the respondents from France was simply of the opinion that the law impedes one from sharing: “We want to make materials available, collaborate and share. But we are not allowed to do that within the bounds of the law.”

Respecting copyright is particularly important to **guardians** – but this is frequently motivated by a shortage of knowledge and the related fear of even unknowingly violating the law. Guardians are vigilantly mindful of not allowing students to download content from the internet; they are advocates of a variety of programs to detect plagiarism. Some of them believe that it would be better for students not to use the web at all when preparing their own schoolwork so as not avoid the risk of breaking the law. This is a group based on whose example one can see that the dearth of copyright knowledge contributes to the usage of new technologies during lessons. Guardians are inclined to avoid using new technology because they are motivated by their fear of breaking

the law whose rules are unknown or unclear to them. The unfamiliarity with legal regulations stifles their creativity and hinders them from altering their approach. This means that they prefer to feel safe by sticking to the methods they know well, rather than opt for innovation and place themselves in jeopardy. At the same time, teachers who emphasize the protection of creativity afforded by copyright are guardians.

Guardian

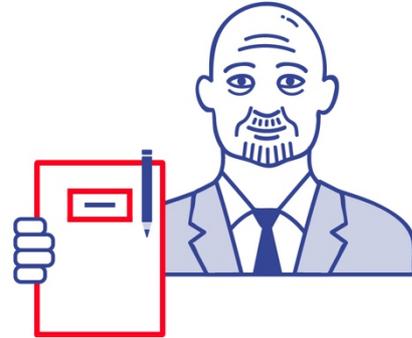
Insists that copyright law is respected by students and other teachers. He does not want to break the law, which he often does not know very well.



The last type we have are **unsuspecting users**. When looking for indispensable educational materials they utilize a variety of services – including ones that violate copyright, while making materials available without their authors’ consent. This group includes teachers who – in contrast to rebels – have limited copyright knowledge. They often breach copyright unwittingly or they are unable to assess whether a given method of usage is permitted. Simultaneously, they are not of the opinion that copyright should be protected in some special way. For instance, one of the teachers tells about using photos of Polish cities: “I used resources from the internet... but I do not know whether I have the right to do so, or not”. Some declare their desire to abide by copyright regulations but they are unaware of how to do that.

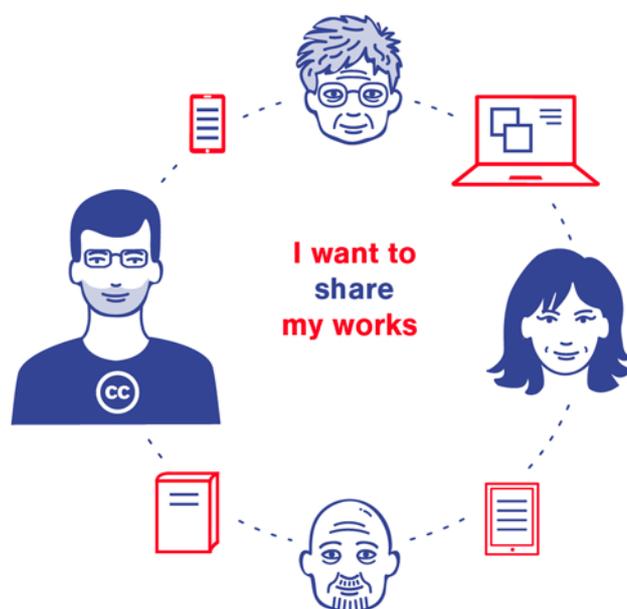
Unsuspecting user

Uses different resources without understanding their copyright status. Often therefore breaks the law as a result. In general, does not pay much attention to these issues.



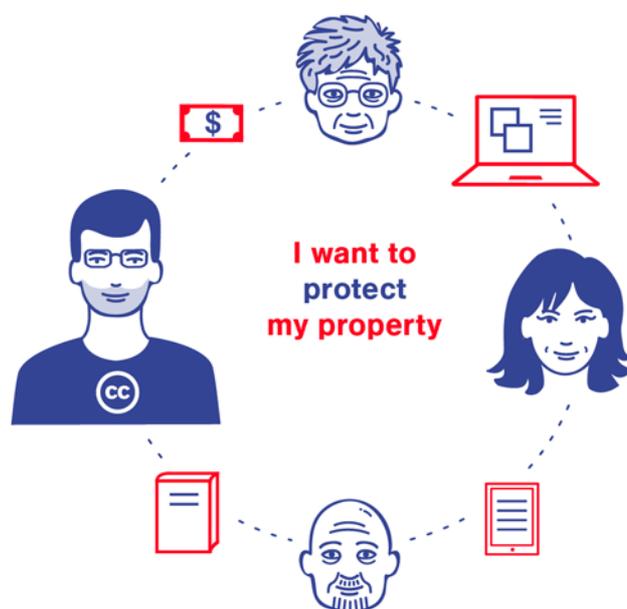
7. Teachers' attitude to copyright: from protection to sharing

The variation in knowledge about copyright is something natural. The existence of different approaches to the protection of creativity using copyright is considerably more interesting – this is the second axis we have identified to differentiate teachers. For teachers - authors, sharing resources involves the necessity of comprehending the law and correctly applying it. Many of them deliberately employ Creative Commons licenses. In turn, teachers playing the role of a rebel share materials freely without giving pause to the legal issues. Some declare that they would like for copyright not to be in force at all in education. Here they are unaware that copyright, which operates automatically, in principle protects the content they publish – therefore they believe that they are sharing these materials with others by publishing online.



Most respondents point out that **they become sensitive to copyright issues when they themselves start to produce copyrighted material.** One respondent puts it this way: “Something becomes tangible when it pertains to you. The same is true of copyright. It protects my photos and articles. Students and others should be made aware in this same way. The law’s purpose is to protect what you produce, but it also protects others”. As we mentioned before, our teachers frequently gain their experience of being authors from professional activity other than being a teacher: as lecturers, trainers, authors of publications and textbooks and information technology experts.

Copyright-related dilemmas exist at two interrelated levels. One of them is of an ethical nature (someone taking my materials without my consent) and the other one is of a practical nature (someone generating profits from the results of my work). Indeed, it is not a problem for the respondents that their works are distributed or used (although it would be best if they were used for educational purposes only) but that someone is using them without the author’s consent and is making a profit.



At the same time, teachers who create materials define a sphere within which they do not have a need for protection of their rights. The most typical example is that of sharing materials with students who, for obvious reasons, are never treated as customers or recipients. But this may also concern situations in which materials are shared within a small group of teachers who are close to the author (who work in the same school or collaborate with the author). Such sharing is common practice within closed groups in social networks, in shared online directories or on dedicated educational platforms, thus meaning areas that are not entirely 'public' and as such they do not generate any copyright-related dilemmas.

It is noteworthy that some teachers extend this approach to include the public sharing of resources. Many of them use a Creative Commons (CC) license to share their educational materials. The use of a CC license is typical for teachers who are authors and who intend to act in accordance with the principles of law. At the same time, they declare that sharing materials under free licenses should be the standard for public institutions and even for educational publishers.

Meanwhile, teachers who are rebels **are more interested in the process of exchange than in the protection of educational materials they prepare.** As explained by a German respondent: “I am willing to share my materials but at the same time it is important for me to receive materials in exchange”. When they talk about sharing materials, they do not focus on copyright but on inspiring one another, sharing knowledge, creating a community of cooperating teachers. As put by a teacher from the Netherlands: “Copyright is not high on teachers’ lists of priorities. Nor should it be”. He adds that the challenges associated with observing copyright laws curtail sharing by teachers.

The preparation of materials for use by students or other teachers is something they treat as an action that does not require such legal protection: “I share my work with others. Especially during various kinds of training courses. I make my lesson plans available to others without paying too much attention to copyright laws, because anyone can write a lesson plan”.

Rebels also take advantage of Creative Commons licenses, treating them as a tool supporting the unconstrained sharing of materials. However, they emphasize that it is a complicated model or they treat such licenses merely as a prosthesis that only partly solves the problem of copyright in schools. A German teacher describes CC licenses as a ‘bridge’ on the road to implementing the flexible ‘fair use’ principle in education (which is an exceptional example of a direct reference to this educational exception concept).

A significant factor affecting not only the raising of copyright awareness but also inspiring teachers to adopt a modern approach to education is the sense of community with other teachers and the ensuing willingness to share one’s own educational materials with others. Many respondents declare their participation in more or less formalized support networks, forums and groups.

Exchanging experiences, sharing and being inspired by novelties is important to them. As another respondent puts it: “This is astonishing. You make something new, you share it on the forum and the next day you discover that others in ten or twenty schools in the country are doing the same thing and then posting their comments. It is as if lights would show up on a map of the country indicating that on this day in this place students are doing something interesting”.

Awareness of the educational exception

These four attitudes are based on the awareness and observance of the “all rights reserved” principle. Respondents knowledgeable about copyright law told us about their adherence, for instance, to the principle of quoting works of other authors or to the Creative Commons license rules. Conversely, only a handful of teachers mentioned the educational exception concept. This is associated with the widespread belief – both among the respondents and among the broader teachers’ community they describe – that copyright law is complicated and incomprehensible. As a result, some rebels are fighting for freedoms granted to them under copyright law. And some unaware users wrongly assume that they are breaking the law – which is not the case, because they operate within the confines of the educational exception.

8. Everyday application of copyright law in schools

Copyright in relations with school management and between teachers

The majority of the respondents declare that the topic of copyright law in their schools is virtually never raised and that the awareness among teachers is very limited. It is not the subject matter of any discussions among educators or of any training courses. Against this background, our respondents, who at least have some knowledge of the subject, are an exceptional group. As one of the respondents put it: “In my school, the subject of copyright arises only when I organize training for my colleagues. I try to do it once every few years unless a problem arises, something serious happens and they turn to me for advice themselves”.

Thus, what is required is some copyright-related failure to evoke teachers’ interest in this issue. This may be, for instance, the need to purchase a license or someone’s breach of the law. In such instances, it can be seen most clearly that schools lack a consistent and systematic approach to these issues.

In the opinion of a number of respondents, the headmaster, who is responsible for the overall operation of the school, should also handle the operation of copyright law in the school environment. All the more so, since in certain countries the headmaster is responsible for signing contracts with publishers and makes the final decision about the selection of textbooks for the school in question. In practice, however, school management often lacks the proper vision and approach. It may happen that very different copyright approaches may be adopted in the same school – some teachers, like most respondents,

treat copyright seriously and educate their students to respect it. Others breach copyright by making use of illegal content (consciously or unconsciously), and others, due to their lack of knowledge, fear of consequences or utter laziness, choose not to use any additional materials and stick strictly to the textbook.

In relations between teachers themselves, the issue of copyright emerges, for instance, in situations involving the sharing of teachers' own materials or in situations involving the preparation of materials for classes, such as photocopying. In such situations, some of our respondents take the role of 'guardians'. According to another respondent: "When I see my colleagues photocopying materials from textbooks in the staff room, I ask them whether or not this happens to be illegal". In this context, however, it should be noted that often the photocopying of materials takes place when the teacher intends to make use of something other than the standard textbook. In such circumstances, compliance with copyright law is perceived as an impediment and may stand in the way of the intention to take innovative action and make use of diverse materials. This is where the rebel's dilemma comes into play: "the good of my students versus the good of some rather unfamiliar publisher or author". And, as we already mentioned, some respondents, regardless of their level of knowledge about copyright law, are willing to ignore copyright if the reason is of an educational nature and is good for the student. The boundary is usually delineated by making the content in question public – for instance through its publication on a website, which is widely perceived as a breach of copyright standards.

The rebel's dilemma arises predominantly in the context of the quality and reliability of materials teachers find on the Internet. The respondents are unanimous in their opinion that when materials are copyrighted, they 'automatically' have greater substantive value. Applications are treated by them in a similar manner – the respondents agree that commercial versions

offer more features, a more user-friendly interface and an improved user experience. Most respondents point to the absence of resources of appropriate quality offered under a free license as the main (and often only) reason for copyright infringement.

Another important problem – regardless of country – is posed by copyrighted music and films. In the opinion of the respondents, copyright laws in this area are too restrictive and hinder the achievement of educational objectives. This applies to situations such as playing music in the classroom or during school events (school dances, student performances). Besides music and films, another problem is the use of images of well-known objects. As an Estonian respondent put it: “This is absurd. I can take a photo of the Eiffel tower only in daylight, because at night it is illegal due to lighting fixtures”.

Copyright in relations between teachers and students

In relations with students, the subject of copyright, if it is mentioned at the teacher’s initiative, is most often brought up in the context of homework or student projects. As one teacher put it: “When the first series of homework comes up, before the problem of plagiarism emerges, I engage them in a Socratic discussion of sorts – I make them think how they would feel if they invented something and then someone else used their invention without their consent”. Teachers agree that it is important to build a sense of responsibility among students as early as possible, also in the context of copyright law. However, we must not forget that we dealt with exceptional teachers who know how to explain copyright issues to their students.

There is a general consensus that a relatively serious challenge in a teacher’s job stems from students having increasingly broader access to the Internet but often lack information-based competence to search and select content. As a result, they are tempted to reach out for easy solutions and copy content

directly from the Internet. At the same time, teachers are aware that the ability to evaluate the source of information is exactly the key skill they can teach their students. In this context, the subject of copyright is closely associated with the question of proper media education. It is also a question of teachers' responsibility for their students and for preparing them to live in a digital world.

As explained by a teacher from Estonia: "All people, and in my case all students, need to know that all works of culture have been created by someone, in other words they have an author". At the same time, respondents offered suggestions about the proper approach to effective education: "Make your students realize the consequences and let them know what may transpire. Create pools of materials for use under open licenses". It is worth mentioning in this context that some teachers create their own resource bases (containing photographs, films and other content they prepare) and then share them in teachers' forums. A French teacher told us in an interview that she had been creating such a bank of data and materials for more than 15 years.

9. Copyright and innovation in the classroom

The relationship between teachers taking innovative action and the operation of copyright law in schools was one of the main topics of our discussions. The surveyed teachers emphasized that the tools they use reach beyond the standard teaching methods applied in their schools. This requires them to search independently for additional materials and other teaching aids. This also involves the use of copyrighted materials whose terms of use are less clear than those applicable to standard resources (such as textbooks).

All the respondents agreed that the Internet is an important and extremely useful source of knowledge, inspiration and materials. Teachers search for inspiration in the net (TEDex lectures, FB teacher groups, Wikipedia, education sites run by different educational institutions and organizations, scientific centers and universities). They point to Youtube and other services as a source of thematic clips or songs. A similar function is played by the Google search engine. Teachers often use paid-for, on-line tools to prepare tasks for their students and keep their notes (e.g. Edumoov, Teachers pay teachers). In such cases, they incur the costs themselves, something they perceive as a challenge.

It appears from our interviews that undertaking innovative actions entails reaching out for new content and developing one's own content. What is interesting, content is sometimes created because the teacher is not able to find appropriate, useful materials. However, the attitude taken even by those who are teachers and authors is ambivalent, resulting from offsetting the copyright perspective and educational goals. As a teacher from Germany said: "Obviously, I'm happy that my works are protected. But on the other hand, the implementation method and management costs associated with copyright prevent good teaching."

Teachers emphasize that the onset of the Internet and use of online content has boosted the significance of copyright. The Internet, as a source of educational materials and space for sharing proprietary content, is the biggest challenge from the standpoint of copyright at school. First, there is a space where teachers can share and use somebody else's materials – such issues and authorship labelling and compliance with them become important. More conscious teachers realize that in Internet resources it is sometimes more difficult to answer the question who owns the rights? Or is it legal?

The actions our responders perceive as innovative (and which other teachers do not use in their school) include:

- using feedback as the basic form of communication about a student's work quality;
- conducting lessons in accordance with the assumptions of formative assessment;
- using team work, as often as possible, abandoning one-to-one testing in favour of collective work, activation during lessons, also using digital tools;
- avoiding homework or assigning group tasks, solved by students in closed groups;
- abandoning lectures during lessons;
- using methods based on problem;
- using applications (Memrise, Duolingo, Kahoot, Padlet, Explain everything, etc.)
- using a broad range of creative thinking and game aids during lessons – Dixit cards, dice, board games etc.;
- using dance or movement as energizers during lessons;
- using Bloom's taxonomy during lessons, work with students on a meta level;
- participating together with students in artistic activities in urban space

In turn, more traditional teachers, without implementing innovations and additional materials, do not have, in the opinion of our respondents, a reason to take an interest in copyright issues. At the same time, respondents emphasize that as a result of the restrictiveness of copyright with regard, for

example, to computer software and applications, **teachers are unwilling to use new technologies. Fear of breaching copyright may be one of the reasons why teachers do not implement innovations in their work.** But this is also an excuse for more “conservative” teachers. Teachers sometimes refer to a vaguely articulated category of copyright as the reason for not going beyond the bare minimum curricular and the content in textbooks. As one of the respondents from the Netherlands (who delivers workshops for teachers herself) put it: “Copyright law is not or does not have to be an obstacle for teachers. Sometimes they do not want to set themselves free and they do not want to use them.”

10. Teachers’ recommendations

The teachers we spoke with were not legal experts. “We are teachers, not lawyers”, contended one of them. Since we asked them for their recommendations, we did not expect to receive any proposals from them on how to change the law. Rather, we asked them about the direction in which the law should go. Most of our respondents had opinions about the desirable changes in copyright law, even if they were not able to describe them precisely. Only a few individuals did not have any recommendations at all or declared that no change is needed. We should therefore recognize that the feeling is broadly held among modern and innovative teachers that copyright law should change.

In what direction should these changes aim? Teachers postulate a greater scope of freedom in using copyrighted materials. Several classes of recommendations may be distinguished.

1. Recommendations to extend permitted use

In the most radical version, the recommendation is: “Copyright should be absent from schools”. Teachers should, by the power of law, be exempt from worrying about copyright and should not incur any fees related to copyright. Teachers also call for extending the scope of permitted use, for example, by abolishing content and size-related restrictions.

Some teachers contend that use for educational purposes should be exempt from any and all fees. Others propose subjecting the use of content for educational purposes to fees to protect the interests of content authors and publishers.

2. Recommendations concerning publishers

Some of our respondents perceive publishers as entities with a mandate to regulate copyright in schools. Therefore, they articulate recommendations concerning freedom of use for educational purposes under the assumption that publishers make these decisions. Consequently, they propose that publishers agree to the free use of the content they create. Others propose that publishers make resources available under free licenses.

3. Recommendations concerning free licenses

Teachers familiar with the Open Source Educational Resources model or Creative Commons licenses postulate extending freedoms by enhancing the availability of resources under free licenses. They believe this task should be performed either by publishers (as content producers) or the state (as the regulator of the education system and the education market alike). They point out that having access to legal content implies unhampered copyright compliance.

Therefore, there are two supplementary strategies: one confers rights to teachers at the level of specific content, while the other does so for any and all content at the level of the rules in effect in schools. Many teachers also observe the need to simplify copyright (regardless of its scope). They expect that the law will be readily comprehensible and practicable to diminish uncertainty concerning the legality of their own actions.

4. Other recommendations

Another set of distinct recommendations refers to **raising knowledge about copyright**. First, the respondents in all the countries in question postulate including copyright as a subject in the curricula of universities and schools of higher education to prepare future teachers.

Many of our respondents educate their colleagues on copyright on their own. They also undertake the task of explaining copyright to their students. In both cases they recommend combining information on copyright with the practical experience of creating or processing content (for example working with photographs and artwork). In this circumstance, learning copyright laws takes place using a specific example while participants acquire new skills on their own.

One of the respondents from Estonia expressed one of the important postulates in copyright education: “The best way of learning about copyright is to become an author and publish one’s own proprietary materials”. Embracing the model of “learning by doing” to proliferate copyright education seems to be one of the fundamental lessons stemming from our research.

Our respondents believe that copyright is not something to be taught solely in universities. It should also be part of teachers’ continuing development. They emphasize that it would be useful to prepare and supply schools with educational packages for teachers to teach copyright on their own to their

students or for them to deepen their knowledge through collaboration. It would also be advisable to organize workshops for all the teachers in a school as part of the teacher skills enhancement system. This would eradicate the gaps in copyright awareness that currently exist in many schools. One of the teachers even goes so far as to propose creating a “media advisor” position in every school who would be responsible for providing copyright support.

Teachers also recommend that education ministries set up information services to provide core knowledge and the required copyright rulings, having in mind the needs of teachers and educational establishments.

In principle, the respondents in all the countries under this study postulate giving teachers clear and transparent instructions on how to use copyright. For example, they propose a system of more standardized descriptions on textbook covers. One of the respondents postulates expanding the system of symbols used by CC.

Governmental and non-governmental educational institutions are an important source of knowledge and point of reference for teachers. Cultivating partnerships with these institutions in copyright education and advancing open source educational resources would be a worthwhile undertaking.