

**COPYRIGHT AGENCY SURVEYS IN SCHOOLS AND UNIVERSITIES**

December 2019

**INTRODUCTION**

Copyright Agency receives information about copying and sharing of content for teaching from annual surveys in a sample of schools and universities.

The surveys are primarily designed to assist estimates of the overall extent and types of content usage under Copyright Agency’s licensing arrangements with schools and universities. The survey data are also used to distribute licence fees to creators and publishers.

**RECENT CHANGES**

The Schools Hardcopy Survey traditionally starts in week 3 of Term 1. From 2020, surveys will be conducted in some schools from the beginning of term 1. This stems from a request by schools’ representatives to avoid sending their staff to the external training survey session during the first week of Term 1. For the first time, training for schools due to participate in the survey in Term 1, is being trialled in Term 4. Assuming the trial is successful, it is possible that schools will begin to participate in surveys from the beginning of term 1.

**KEY POINTS ABOUT THE SURVEYS**

<b>Survey design and implementation</b>	The surveys are designed and conducted by independent research experts, with input from Copyright Agency and representatives from the schools and universities sectors.
<b>Data processing protocols</b>	Copyright Agency has agreed data processing protocols with representatives from schools and universities regarding which uses in the survey data are: <ul style="list-style-type: none"> <li>excluded from consideration when negotiating licence fees (e.g. because they are directly licensed by publishers);<sup>1</sup> and</li> <li>‘high value’, having regard to the differential rates determined by the Copyright Tribunal.<sup>2</sup></li> </ul>
<b>‘High value’ uses</b>	Universities: <ul style="list-style-type: none"> <li>images copied without text (‘stand-alone’ images);<sup>3</sup></li> <li>print music; and</li> <li>coursepacks.</li> </ul> Schools: <ul style="list-style-type: none"> <li>images copied without text; and</li> <li>‘short text’ works: poems, short stories, plays.</li> </ul> These relative higher values are also reflected in the distribution of licence fees to rightsholders.
<b>Role of survey data in copyright fee negotiations</b>	Estimates based on the survey data are taken into account, along with a range of other factors and estimates, in commercial negotiations of copyright fees. These negotiations result in a fixed fee, per sector or per student, for the term of each agreement (e.g. three years).

<sup>1</sup> The protocols are published on Copyright Agency’s website: <https://www.copyright.com.au/data-processing-protocols/>

<sup>2</sup> For universities: <http://www.judgments.fedcourt.gov.au/judgments/Judgments/tribunals/acopyt/1999/1999acopyt01>. For schools: <http://www.judgments.fedcourt.gov.au/judgments/Judgments/tribunals/acopyt/2002/2002acopyt01>

<sup>3</sup> Images copied with text are treated the same as the text, and distribution arrangements take into account images copied with text that have different rightsholders to the text.

<b>Different schools and university faculties surveyed each year</b>	The surveys capture usage information in an agreed representative sample of schools and university faculties each year. The schools and faculties surveyed are different each year. A surveyed school will not be surveyed again for at least eight years. Individual universities participate approximately once every three to five years (but different faculties might be surveyed each time).
<b>Surveyed institutions not disclosed</b>	The identities of the schools and universities surveyed are not disclosed to members, to maintain the integrity of the survey process.
<b>Costs associated with survey data</b>	The current survey design and data processing take account of the time and costs for schools and universities to participate, and the costs of processing the data. The aim is to keep those costs proportionate to the licence fees. Consequently, the information collected is in most respects sufficient but not perfect.
<b>Future methods for collecting usage data</b>	Copyright Agency is exploring, with school and university representatives, mechanisms for automating the capture of usage data in the future. This includes potential for automated data feeds from multi-function devices in schools, and from school and university online platforms such as learning management systems. New forms of data capture will still require 'filtering' mechanisms to distinguish uses made under the education licence, and uses made outside the licence (e.g. in reliance on direct licensing arrangements between education institutions and content owners).

## SURVEYS AT A GLANCE

The following table summarises the main features of the surveys in schools and universities.

	<b>Schools</b>		<b>Universities</b>	
<b>Students</b>	3.9m		1m	
<b>Institutions</b>	About 9,500		39	
<b>Use type</b>	Photocopy, print, scan	Electronic use	Photocopy, print coursepacks	Electronic use (scan, communicate)
<b>Sample size</b>	252 schools every 2 years	100 schools per year	6 universities per year	8 universities per year
<b>Other elements</b>	schools in major cities/inner regional areas with more than 300 students		faculties selected to include around 50% of enrolments	
<b>Which states/territories</b>	4 a year	All	All	All
<b>Sample fraction (per year)</b>	1% schools 2% students	2% schools 2% students	15% universities 8% students	20% universities 20% students
<b>Stratification</b>	State/Territory Primary/secondary Government/non-government		State/Size/Faculty	
<b>Survey duration</b>	1 term (about 10 weeks)	4 weeks (1 period)	12 weeks	12 weeks
<b>Rollout</b>	32 schools per term	2 periods per term, 13 schools per period	staggered over full year	staggered over full year

## WHY ARE THERE TWO SCHOOL SURVEYS?

Copyright Agency conducts two separate surveys in schools each year:

- **'hardcopy'**: printing, scanning and photocopying; and
- **'electronic use'**: emailing; 'making available' to staff or students using an online platform (e.g. learning management system, intranet); displaying content to students (e.g. using an interactive whiteboard); downloading; taking a screenshot or digital photograph.

The 'electronic use' survey was introduced for schools in 2005. It was considered as unrealistic to expect school teachers to record their hardcopy and electronic use simultaneously. As a result, a separate sample of schools participates in each survey each year.

Copyright Agency is currently in discussions with schools' representatives about re-designing the surveys.

## WHO PARTICIPATES IN SURVEYS?

### Hardcopy sample in schools

The 'hardcopy' survey records printing, scanning and photocopying in 252 schools over a two-year period, each for a term:

- NSW, ACT, South Australia and Northern Territory in the 'even' years (e.g. 2016, 2018)
- Victoria, Tasmania, Queensland and Western Australia in the 'odd' years (e.g. 2015, 2017).

Each school takes part for one full school term. The exception is Term 1 where it is agreed that the survey will not start during the first two weeks of the new school year.

In 2018–19, surveys of printing, scanning, photocopying were conducted in the following number of schools:

School sector		2018					2019					Grand total
		NSW	ACT	SA	NT	Total	VIC	QLD	WA	TAS	total	
Government	Primary	37	1	2	0	40	23	16	12	1	52	92
	Secondary	19	2	3	0	24	11	8	4	1	24	48
	Total government	56	3	5	0	64	34	24	16	2	76	140
Non-government	Primary	31	3	1	1	36	7	12	4	1	24	60
	Secondary	22	1	3	2	28	15	4	4	1	24	52
	Total non-government	53	4	4	3	64	22	16	8	2	48	112
<b>GRAND TOTAL</b>		<b>109</b>	<b>7</b>	<b>9</b>	<b>3</b>	<b>128</b>	<b>56</b>	<b>40</b>	<b>24</b>	<b>4</b>	<b>124</b>	<b>252</b>

The total pages printed, scanned and photocopied by the surveyed schools were:

	Schools surveyed	Photocopied	Printed	Scanned
<b>2015</b>	124	3m	337,000	14,000
<b>2016</b>	128	3.6m	490,000	13,000
<b>2017</b>	123	2.6m	412,000	13,500
<b>2018</b>	128	2.8m	508,000	17,000

### Electronic use sample in schools

Surveys of electronic use are conducted in about 100 schools each year, each survey for a four-week period. The survey involves schools from every State and Territory every year.

In 2018, more than 3,600 users from 100 schools were registered for the survey.

### Sample in universities

The agreement with Universities Australia currently covers 39 universities. The universities take turns to participate in surveys. Each year, eight universities provide records of their electronic usage for a 12-week period. Six of the eight universities also record information about their photocopying and printing of coursepacks.

The electronic use survey collects university-wide information. The 'hardcopy' survey involves approximately half of the university, based on student enrolments. This requires a selection of Academic Organisational Units (AOUs) from the university. AOUs are sometimes also referred to as 'schools' or 'departments'. Examples are Humanities, Engineering, Science and Law.

The survey also covers usage in Central Administration in three of the six universities taking part in the hardcopy survey.

The selection of universities and AOUs for a particular survey is influenced by a range of factors. These include:

- representation of universities in different states and of different sizes; and
- limiting the number of times that the same AOU in a university is required to participate in a survey.

The current design seeks to match the proportion of 'equivalent full-time student load' (EFTSL) in the selected AOUs with the proportions for all students as closely as possible, having regard to the above factors.

Copyright Agency has asked the Copyright Tribunal to determine a new monitoring system for universities. The current system is continuing pending that determination.

### INFORMATION COLLECTED

survey	format	we receive	Information requested
hardcopy	paper	<ul style="list-style-type: none"> <li>• cover sheet</li> <li>• copied material (attached)</li> </ul>	<p>The format of each survey varies, but broadly each aims to collect information about:</p> <ul style="list-style-type: none"> <li>• what content was used:               <ul style="list-style-type: none"> <li>• the <i>type</i> of material (e.g. image, music, poem)</li> <li>• content identification information (e.g. ISBN, URL, author name)</li> </ul> </li> <li>• how it was used (e.g. photocopied, published on server)</li> <li>• the context in which it was used (e.g. in a coursepack)</li> <li>• consumption level (number of copies; number of people with access to content on server)</li> </ul>
electronic use	digital	<ul style="list-style-type: none"> <li>• schools: online form</li> <li>• universities: spreadsheet</li> </ul>	

### SURVEY RESULTS

Copyright Agency's 2019 annual report provides information about the topline results of the 2017 'hardcopy' survey in schools, and the 2018 electronic use survey.<sup>4</sup>

<sup>4</sup> <https://www.copyright.com.au/about-us/governance/archive/annual-reports/>