

In seeking to utilize the multitude of resources available in the construction of hybrid and online distance education courses, colleges and universities must comply with the requisites of copyright law. This article addresses the Copyright Act and its fair use doctrine; the TEACH Act and the responsibilities this statute imposes on colleges and universities desirous of utilizing its expanded ability to incorporate copyrighted works into hybrid and distance education courses; copyright ownership issues; and public domain, sovereign immunity and orphan works concerns as related to traditional and online distance education courses. The article suggests issues an institution of higher education should consider with respect to adopting a comprehensive copyright policy that both satisfies the mandates of the TEACH Act and reflects its commitment to the intellectual property rights of others.