# Faculty Handbook

Office of Faculty Career Development Services

Georgia Institute of Technology

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**August 2012 Edition**

For changes adopted by the faculty but not yet published here, see:

http://www.facultygovernance.gatech.edu/Menu11-Matters_agreed_to_by_the_Faculty.htm

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# 1. Introduction

## 1.1 The University System of Georgia

The University of Georgia, chartered in 1785, was Georgia's first institution of higher education and is the oldest state-chartered institution in the country. Over the years other colleges were chartered and supported by the state. The University System of Georgia evolved from an assortment of these state-supported institutions, each of which was governed by a separate board of trustees. Effective 1 January 1932, these institutions became the University System of Georgia under the governance of one body, the Board of Regents. The creation of the Board of Regents ended the practice of each institution's lobbying individually with the state legislature for funds.

The University System of Georgia includes all state-operated universities, senior colleges, and junior colleges in Georgia. The System, now in its seventh decade of operation, offers programs of instruction, research, and public service designed to benefit the entire population of the state. These programs are conducted through the various institutions and institution-related agencies.

The Board of Regents of the University System of Georgia is composed of sixteen members appointed by the Governor and confirmed by the Senate for seven-year staggered terms. One member is appointed from each of the eleven congressional districts and five are appointed from the state-at-large. The Board of Regents exercises broad jurisdiction over all institutions of the University System of Georgia and establishes policies and procedures under which they operate. While the Board engages in both policy-making and administrative functions, each unit of the System has a high degree of academic and administrative autonomy.

The Chancellor of the University System, the chief administrative officer of the System, is appointed by the Board as its chief executive officer and serves at the Board's pleasure. The Chancellor has broad discretionary power for executing the resolutions, policies, and rules and regulations adopted by the Board for the operation of the University System.

The composition of the University System has changed several times since the System was established. The twenty-six institutions in existence in 1932 were studied to determine their academic strengths. Subsequently, some of these institutions were closed and others were consolidated in order to establish an effective and viable system of public higher education. Even with the improved structure, the University System which was in existence during the years immediately following reorganization had little in common with the University System in existence during the 1987-88 Academic Year.

The System currently includes thirty-four institutions: six universities, thirteen senior institutions, and fifteen two-year colleges. These institutions are both individually distinctive and interrelated. They are geographically dispersed so that approximately ninety-six percent (96%) of the people in Georgia reside within thirty-five miles of at least one university or college.

Information concerning the Board of Regents and a list of institutions comprising the University System of Georgia and related facts may be found at http://www.usg.edu.

## 1.2 Georgia Institute of Technology

Chartered by the General Assembly in 1885, the Georgia School of Technology opened its classroom doors on October 7, 1888. The first October Tech was open, eighty-four students enrolled, with an overall enrollment of 129 for that year. They pursued degrees in the only major offered, Mechanical Engineering. Even then, Tech courses were difficult to master, and only twenty-eight members of the original October class earned degrees.

On July 1, 1948, the Georgia School of Technology officially became the Georgia Institute of Technology. Tech's first two colleges, the College of Engineering and the General College, were also formed at this time. Georgia Tech now has six colleges: College of Architecture, College of Computing, College of Engineering, College of Management, Ivan Allen College of Liberal Arts, and College of Sciences. The Georgia Tech Research Institute is also a part of the Institute and is the organizational equivalent of a college. Dr. Gerald Wayne Clough became the Institute's tenth president on September 1, 1994. Dr. Clough holds a B.S. (1963) and an M.S. (1965) in Civil Engineering from Georgia Tech and his Ph.D. (1969) from the University of California at Berkeley. Dr. Clough is the first Georgia Tech alumnus to hold the position of President.

The Georgia Institute of Technology is situated on an attractive campus of more than 400 acres in the heart of Atlanta, a diverse and vibrant city with great economic and cultural strengths. Additional information on the campus facilities and building use may be found in the Georgia Tech Fact Book at http://www.irp.gatech.edu.

Georgia Tech is proud of the scholastic abilities of its students. Entering students have an average Scholastic Aptitude Test (SAT) score consistently higher than the national average. The general growth and diversity of Georgia Tech is reflected in its student population. Current student demographics can be found in the most recent Georgia Tech Fact Book, available on line via http://www.irp.gatech.edu. Georgia Tech demonstrates its commitment to diversity by ranking at or near the top year after year in numbers of women and minority engineering graduates.

Students who wish to combine industrial work experience with their classroom studies can enroll in Georgia Tech's "Cooperative Education Program." This program has been in continuous operation at Georgia Tech since 1912 with over 600 participating employers throughout the U.S. and some international locations. Approximately one-third of Georgia Tech's students participate in the Co-op Program which is the largest of its kind in the nation. This program is also available to students at the graduate level.

Students and faculty have access to a cataloged collection of over four million items in the Library and Information Center. Technical reports number over 2.7 million. The Library is a regional depository for United States patents and holds over 6.8 million of these. Government documents include over 1.3 million publications and over 192,000 maps. Library facilities include a 100-computer workstation information commons for learning enhancement. This Library West Commons is open 24 hours, 5 days per week. The Library has direct access to more than 2,800 electronic journals, and over 200 databases of citations, abstracts, full text, and numeric data. Membership in a thirteen-library consortium greatly extends available information sources.

Research is an integral part of the education process at Georgia Tech and has grown to over $340 million annually, including research in the colleges and at the Georgia Tech Research Institute. Research activities are diversified and are centered on areas where the nation has a vital interest-defense, manufacturing, electronics, health, and the environment. With its consistently high academic standards, expanding campus facilities, and vast research programs, Georgia Tech is ready to meet the challenges of tomorrow.

A great many other facts concerning the Georgia Institute of Technology may be found in the current Georgia Tech Fact Book published by the Office of Institutional Research and Planning found at http://www.irp.gatech.edu. This includes information on the organization of the Institute; its institutional and professional accreditation; and its endowed chairs, Georgia Research Alliance Eminent Scholars, and named professorships.

Source: Office of Institutional Research & Planning. Date: 6/2003 Update: 11/2005

### 1.3 A Diverse Community

Georgia Tech is a diverse community composed of individuals and groups with a variety of religious, racial, national, cultural, sexual, and educational identities. The continuing need to deal constructively with this diversity is one of the great challenges facing us over the next two decades.

The challenge is both professional and personal. Professionally, we increase the opportunities in our lives if we are able to constructively manage and guide such diversity with tolerance and appreciation. The challenge is also personal because each of us has a legacy of religious, racial, national, cultural, sexual, and educational experiences, beliefs, and prejudices, which influence our lives.

Each member of our community must be committed to the creation of a harmonious climate. One cannot be neutral to the challenge diversity presents. Those who are committed to the creation of a harmonious climate for diversity strengthen Georgia Tech as well as themselves.

Individuals who choose not to commit to the challenge via acts of intolerance jeopardize their continued affiliation with the Institute. Those acts may be defined as attempts to injure, harm, malign, or harass a person because of race, religious belief, color, sexual orientation, national origin, disability, age, or gender.

To lead in a global society, Georgia Tech must itself be a pluralistic Institution.

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Source: Office of the President. Date: 8/1996 Update: 11/2005

## 2. The Statues of the Georgia Institute of Technology and Faculty Governance

### 2.1 Revision History of the Statutes and By-Laws

Dates represent approval by the General Faculty of the Georgia Institute of Technology or approval by the Board of Regents of the University System of Georgia, as noted.

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| 10-Jun-1981: | Statutes (with amendments) approved by the Board of Regents of the University System of Georgia. |
| 27-Apr-1997: | Split the Statutes into two separate documents; the Statutes and the Bylaws. |
| 02-Feb-1999: | Eliminate the Public Relations committee. Remove its corresponding sections. |
| 02-Feb-1999: | Add the Student Computer Ownership committee. Add Sections 5.6.14 and 10.7.14. |
| 02-Feb-1999: | Revise Section 5.1.1 to add the category of Academic Professional to the list for possible General Faculty membership. |
| 02-Feb-1999: | Create a new General Faculty membership category called “Professional Classified Staff” and describe it in Section 5.1.1. |
| 27-Apr-1999: | Modify references in the Statutes and Bylaws to reflect the new semester system. |
| 10-May-2000: | BOR approval of Statutes and Bylaws with changes up to this point. |
| 18-Apr-2000: | Allow for an extension of the probationary period for tenure as a consequence of any approved Georgia Tech policy by adding a sentence to Section 5.8 |
| 18-Apr-2000: | Change all references to explicit titles of some administrators to generic form. *Do not* |

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| | *change* the titles for President, Provost, Registrar, Director of GTRI, College Deans, School Chairs, and Department Heads. |
| 18-Apr-2000: | Add new paragraph in Section 5 to allow an Administrator appointed to a position by these Statutes and Bylaws to appoint a qualified substitute Administrator to serve in their place. |
| 16-Jan-2001: | Executive Board changes to Section 13. “Executive Board’s Guidelines To General Faculty Membership.” Required no approval from the General Faculty Assembly or the Academic Senate. |
| 09-Oct-2001: | Add to Section 5.1.1 stating that Faculty whose title includes the words “Temporary” or “Visiting” shall not be considered as members of the “Corps of Instruction” for the purposes of faculty governance. |
| 09-Oct-2001: | Provide in Section 5.2.3 for representation in the General Faculty Assembly for Faculty who are in a College but who are not members of a Department of Instruction. |
| 09-Oct-2001: | Modify Section 5.5.1 to remove the Vice Provost from membership on the Executive Board. |
| 09-Oct-2001: | Add to Section 5.5.1 to clarify that a person elected to the Executive Board vacates their position on the General Faculty Assembly (and, if a member, also of the Academic Senate) as a representative of their unit. |
| 09-Oct-2001: | Revise Section 10.7.1 to modify the procedure for replacing a member of a standing committee who resigns their position. |
| 23-Apr-2002: | Changes concerning the Undergraduate Curriculum Committee outlined in Sections 5.6.7 and 10.7.9. |
| 23-Apr-2002: | Changes concerning the Graduate Curriculum Committee outlined in Sections 5.6.8 and 10.7.10. |
| 23-Apr-2002: | Changes concerning the Faculty Honors Committee outlined in Section 10.7.2. |
| 08-Oct-2002: | Changes concerning Membership of Student Regulations Committee outlined in Section 10.7.11. |
| 08-Oct-2002: | Changes concerning Duties of Faculty Status and Grievance Committee outlined in Sections 5.6.3 and 5.8. |
| 25-Feb-2003: | Changes concerning increasing the size of the Student Honor Committee & formation of Hearing Panels outlined in Section 10.7.4. |
| 25-Feb-2003: | Addition of Section 10.7.15 concerning Formation of a new Standing Committee on Academic Integrity |
| 22-Apr-2003: | Change increasing the size of the Faculty Honors committee outlined in Section 10.7.2. |
| 20-Apr-2004: | Specify the responsibilities of the Undergraduate Curriculum and Graduate Committees for periodic program reviews, in Sections 5.6.7 and 5.6.8. |
| 5-Feb-2008 | Change in 5.6.12 for duties of the Student Grievance and Appeal Committee to make them consonant with Student Code of Conduct. |

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| 22-Apr-2008 | Changes in 5.2.3 concerning the election of representatives from Services and Central Administration |
| 22-Apr-2008 | Move process for filling vacancies in the General Faculty Assembly from Statute 5.2.5 to Bylaw 10.2.2 |
| 4-Oct-2011 | Changes in 5.10 concerning the dismissal of faculty members with cause, for better alignment with the policies with the Board of Regents. |

## 2.2 Foreword

*Note: This Foreword is not a part of these Statutes and is subject to change as directed by the President.*

A complex institution such as the Georgia Institute of Technology must of necessity have an administrative structure that permits it to accomplish its existing goals; and at the same time, it must have sufficient flexibility to respond to developing needs by alteration of structure and emphasis. In the policies of the Board of Regents, the President is charged with the responsibilities for the operation and management of the Institute. Thus, the President has the responsibility and authority to organize or reorganize the administrative functions into a pattern which the President believes to be most effective. The lines of authority from the Office of the President (which includes the Provost) extend to all units of the Institute. Details may be found by consulting the current Georgia Tech Fact Book found at www.irp.gatech.edu.

Identical titles appear for functions that are not identical: for example, the title of Director may apply to an administrative department, an academic division, or a specific functional area. In current terminology, Schools are administered by Chairs and offer degree programs; Departments are administered by Heads and provide programs that do not per se lead to degrees. For convenience of wording in the Statutes, Department of Instruction refers to both Schools and Departments (as well as any other unit with instructional responsibility); and the administrator of each Department of Instruction is referred to as Chair.

Under the circumstances described above, a set of Statutes cannot successfully defy logic and time by fixing precise definitions to titles or functions of current administrators or current lines of authority among administrators. Instead, Statutes that have any degree of permanence must define principles to guide persons in the Institute in the exercise of their various rights and responsibilities. In this context, these Statutes indicate in broad general outline key principles relevant to the functions of the Board of Regents and the President and administration and elaborate the principles relevant to the functions of the faculty and the students.

## 2.3 Preamble

As empowered by the Board of Regents of the University System of Georgia and limited byThe Policy Manual of the Board of Regents (Section 3.2.4), the Faculty of the Georgia Institute of Technology sets forth the following regulations for its governance and designates them to be The Statutes of the Georgia Institute of Technology. The Statutes seek to encompass basic principles, to delineate the rights and responsibilities of each component of the Institute, and to provide for communication among the components so that, through cooperative action, the purposes of the Institute can be best served. In case of any divergence from or conflict with the official policies of the Board of Regents of the University System of Georgia to be found in these Statutes, the policies shall prevail.

The Statutes comprise Sections 3 – 8 of the Faculty Handbook.

## 3. The Institute

The Georgia Institute of Technology, one of several institutions making up the University System of Georgia, is distinctive because of its scientific and technological orientation. Within this orientation, the Institute's function is to maintain appropriate up-to-date programs of the highest quality in undergraduate and graduate education and in research. This function involves the discovery, correlation, presentation, and transmittal of knowledge, and it encompasses the translation of this knowledge into useful and appropriate services.

As provided in the policies of the Board of Regents (Policy Manual), the Georgia Institute of Technology is subject to the jurisdiction of the Board of Regents and the Chancellor of the University System of Georgia. The Board of Regents, with the Chancellor as its executive officer, is the governing board, the final institutional authority. The Administration of the Institute is composed of the President and other persons duly appointed by the President or the President's designees and by the Regents to serve primarily in executive and managerial capacities. The Faculty of the Institute is composed of the Corps of Instruction and the Administrative Officers as defined in Section 5.1 of these Statutes. Students in the Institute are those persons of undergraduate, graduate, and postgraduate status who, through official matriculation, indicate their intent to be recipients of the educational process and research training available in the Institute. The Administration, the Faculty, and the Students are the components of the Institute to which these Statutes relate.

The Institute shall confer the undergraduate and the graduate degrees* established by official action of the Faculty and approved by the President and the Board of Regents upon candidates who have satisfied the prescribed regulations and conditions. The Institute may award suitable certificates to enrollees who successfully complete such specialized courses as may be offered to meet specific needs.

*A current official listing appears annually in the General Catalog.

## 4. The Administration

The President, the chief executive officer of the Institute, is elected annually by the Board of Regents. The powers of the President are those ordinarily implied by the office and are stipulated in The Policy Manual of the Board of Regents (Section 2.5). By the nature of the office, the President is the chief spokesperson of the Institute and has the ultimate responsibility for defining goals, for taking administrative action, and for creating public understanding. The President utilizes the judgments of the Faculty and also seeks outside evaluations by organizations and scholars of acknowledged competence. The President ensures that Faculty and student views, including dissenting views, are presented through the Chancellor to the Board of Regents in those areas and on those issues where responsibilities are shared. The President confers all degrees, presides at Commencement ceremonies, and authorizes the issuance of all diplomas and certificates.

As provided in the policies of the Board of Regents (Policy Manual, Section 2.5), the President is the Chair of whatever legislative bodies the Faculty establishes and is ex officio a member of all committees, councils, or boards. Recommendations for all appointments, reappointments, promotions, and dismissals of members of the Administration and the Corps of Instruction are made by the President or the President's designees annually to the Board of Regents through the Chancellor. The President identifies and defines the responsibilities of other members of the Administration who, serving at the President's discretion, guide and direct other functions necessary to this complex academic institution. Through memoranda and organizational charts, the President advises the Institute of organizational changes and shifts in the responsibilities of members of the Administration. Hereafter in these Statutes, members of the Administration will be referred to as Administrators.

# 5. The Faculty

Consistent with the Policy Manual of the Board of Regents (Sections 3.2.1.1 and 3.2.1.2), the Faculty of the Institute is the Corps of Instruction and Administrative Officers, as stipulated below. The Faculty, so defined, is granted the right and responsibility of its own governance; the governance of the students, student activities, and student affairs; the creation of such committees as may be required; the prescribing of regulations regarding admission, dismissal, discipline, scholarship, classes, courses of study, and requirements for graduation; and the creation of such other regulations as may be necessary or proper for the maintenance of high educational standards.

To fulfill these responsibilities, these Statutes establish the General Faculty, the General Faculty Assembly, the Academic Faculty, the Academic Senate, and the Executive Board.

Any Administrator appointed by these Statutes and/or Bylaws to serve on the General Faculty Assembly, the Academic Senate, the Executive Board, or any Institute Standing Committee may appoint another appropriate and qualified General or Academic Faculty member to serve on that body and to carry out any designated duties related to that body in said Administrators place. Such an appointment must be approved in advance by the Executive Board.

## 5.1 The General Faculty

The presiding officer of the General Faculty shall be the President. All members of the General Faculty shall have the right to vote.

### 5.1.1 Members

Membership in the General Faculty shall be determined solely on the basis of the position held within the Institute. The membership of the General Faculty shall be as follows:

#### *Corps of Instruction*

Comprises:

- Full-time members whose titles, in full or part, are contained in the following list: Regents Professor, Professor, Associate Professor, Assistant Professor, Instructor, Lecturer, and Professor of the Practice.
- Full-time members whose titles, in full or in part, are contained in the following list: Principal Research Engineer, Senior Research Engineer, Research Engineer II, Research Engineer I (Engineer may also read Scientist, Associate, or Technologist).
- Other full-time extension personnel; Librarians IV, III, II, and I; Archivists IV, III, III, and I; Academic Professionals; Postdoctoral Fellows; and other teaching personnel with such other titles as may be approved by the Board of Regents.

Personnel with the designation of Temporary or Visiting are not to be members of the Corps of Instruction.

### *Administrative Officers*

Comprise:

- The President, the Provost, administrative and academic deans, the Registrar, the Administrator in charge of Libraries, and those other persons in administrative positions who report directly to the President, and those persons in administrative positions who report to the Provost.
- Persons in administrative positions who report directly to those members in paragraph above, as designated by the Executive Board and approved by the President. See Executive Boards Guidelines to General Faculty Membership, Section 13.

### *Professional Classified Staff*

Persons in professional positions that require at least a masters degree or its equivalent in education and experience in a relevant field and are approved by the President. See Executive Board's Guidelines to General Faculty Membership, Section 13.

### Athletic Affairs Professionals

Persons in professional positions whose primary assignments involve performing management or professional level work related directly to the Institute's Intercollegiate Athletic Programs. See Executive Board's Guidelines to General Faculty Membership, Section 13.

### *Others*

Other persons in administrative, academic, or research positions specifically designated as members of the General Faculty by the Executive Board and approved by the President. See Executive Boards Guidelines to General Faculty Membership, Section 13.

### *Prior Status*

Nothing in these Statutes shall be construed as rescinding the status of those persons who are members of the General Faculty by virtue of action prior to adoption of these Statutes.

#### 5.1.2 Nonvoting Delegates

The students shall be represented without vote by the President of the Undergraduate Student Body and the President of the Graduate Student Body.

#### 5.1.3 Powers

It shall establish the Standing Committees herein defined and such temporary committees as may be needed to conduct its business in an orderly and efficient manner.

It shall define and establish Institute-wide policies on matters of broad and general interest relevant to the Institute not specifically delegated to the Academic Faculty.

It shall accept or reject proposed changes or amendments to these Statutes prior to transmittal to the Board of Regents via the President through the Chancellor. It shall also accept or reject proposed changes or amendments to these Bylaws.

It shall make recommendations to be considered by the Academic Faculty.

It shall have the power to rescind or modify actions of the General Faculty Assembly.

#### 5.1.4. Limitations of Powers

The President shall have the power of veto over any action of the General Faculty or the General Faculty Assembly. The veto, with reasons therefore, shall be communicated in writing to the Secretary within sixty days from the date of the action of the General Faculty or the General Faculty Assembly. By a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting, the General Faculty may appeal to the Board of Regents through the Chancellor any action so vetoed. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## 5.2 The General Faculty Assembly

The presiding officer of the General Faculty Assembly shall be the President. All members of the General Faculty Assembly [except those explicitly excluded in Section 5.2.2 below] shall have the right to vote. The General Faculty Assembly shall be empowered to act for the General Faculty in all matters except the amending of these Statutes and the appeal of a Presidential veto.

#### 5.2.1 Composition

- Elected representatives [Section 5.2.3, below].
- Chairs of the General Faculty Standing Committees.
- Ex officio members [Section 5.2.2, below].
- Two nonvoting student delegates.
- Elected members of the Executive Board.

#### 5.2.2 Ex officio Members

- The President and the Provost.
- Without the right to vote: the Administrator in charge of student affairs, the Administrator in charge of financial affairs, the Administrator in charge of development, the Registrar, and the Director of the Georgia Tech Research Institute.

#### 5.2.3 Distribution of Elected Representatives

The elected representatives shall be distributed among the Departments of Instruction, the administrative sub-units of Colleges with Departments of Instruction, the colleges without such departments, the Laboratories and a unit of Administration and Services of the Georgia Tech Research Institute, and a composite unit of Services and Central Administration in the ratio of one representative for each twenty members of the General Faculty (rounded).

In colleges with Departments of Instruction and in the Georgia Tech Research Institute, at least one representative shall be elected from each sub-unit. The representatives from Services and Central Administration shall be elected proportionally from sub-units of sufficient size and the aggregate of others.

- In colleges a sub-unit is defined as a Department of Instruction with ten or more members of the General Faculty or an aggregate of such with ten or more members.
- Such aggregate sub-units, when required to be formed, shall be determined by the Executive Board.
- In colleges with Departments of Instruction, there will also be an administrative sub-unit composed of the Office of the Dean, Centers reporting to the Dean, and any other unit of the College that is not a Department of Instruction.

- In the Georgia Tech Research Institute a sub-unit is defined as a Laboratory or a unit of Administration and

Services or other sub-unit which the Director of the Georgia Tech Research Institute may recommend to the Executive Board for approval as a constituency unit.

- In Services and Central Administration, a sub-unit is defined as one with ten or more members reporting to a common head. The Executive Board shall assist in designating sub-units.

No college, the Georgia Tech Research Institute, or the composite unit of Services and Central Administration shall be represented by more than one-third (1/3) of the voting members. If a unit qualifies for more representatives than one-third (1/3) of the voting members of the General Faculty Assembly, an adjustment supervised by the Executive Board shall be made by reducing the representation of the subunits with the largest number of representatives.

See http://www.facultygovernance.gatech.edu for a list of the current elected representatives.

#### 5.2.4 Eligibility of Voters and Candidates

All members of the General Faculty shall be eligible to vote, but only in the election of representatives from their respective constituent unit. All members of the General Faculty shall be eligible to be candidates for election to the General Faculty Assembly except:

- Ex officio members of the Assembly.
- General Faculty members who are presently serving as members of the General Faculty Assembly.
- Previous Executive Board members whose Board terms ended earlier in the Spring semester.

#### 5.2.5 Term of Office

A representative shall be elected to a term of three years. Representatives may not be elected to serve consecutive terms. The election of representatives shall be held every year with approximately one third of these positions being filled each year.

## 5.3 The Academic Faculty

#### 5.3.1 Members

The membership of the Academic Faculty shall be as follows:

### *Corps of Instruction*

Comprises:

- Chairs of all Departments of Instruction.
- Members of the General Faculty with the ranks of Regents Professor, Professor, Associate Professor, and Assistant Professor.
- Librarians IV, III, and II.
- Archivists IV, III, and II.
- All General Faculty members of the Executive Board.

### *Administrative Officers*

Comprise:

- The President, the Provost, administrative and academic deans, the Registrar, the Administrator in charge of Libraries, and those other persons in administrative positions who report directly to the President, and those persons in administrative positions who report to the Provost.

#### 5.3.2 Nonvoting Delegates

The students shall be represented without vote by the President of the Undergraduate Student Body and the President of the Graduate Student Body.

#### 5.3.3 Powers

It shall formulate and develop comprehensive educational policies and regulations.

It shall define and establish Institute-wide policies on academic matters, including admission policy, grading standards, and the requirements to be met by the candidates for the various degrees.

It shall establish the Standing Committees herein defined and such temporary committees as may be needed to conduct its business in an orderly and efficient manner.

It shall consider all candidates for degrees and recommend to the President that the appropriate degree be conferred on each approved candidate.

It shall recommend through the President to the Board of Regents the establishment, modification, or discontinuance of degrees, of departments of instruction, and of colleges; and the establishment, modification, or discontinuance of centers which function to coordinate interdisciplinary educational and research programs.

It shall consider proposed general regulations governing student conduct, all phases of student life and activities, and all forms of student organizations insofar as these matters are properly subject to the jurisdiction of the Institute.  All such proposals must be approved by the Academic Faculty and the President prior to implementation.

It shall make recommendations to be considered by the General Faculty.

It is empowered to rescind or modify actions of the Academic Senate.

#### 5.3.4 Limitations of Power

The President shall have the power of veto over any action of the Academic Faculty or the Academic Senate.  The veto, with reasons therefore, shall be communicated in writing to the Secretary within sixty days from the date of the action of the Academic Faculty or the Academic Senate.  By a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting, the Academic Faculty may appeal to the Board of Regents through the Chancellor any action so vetoed.  Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## 5.4 The Academic Senate

The presiding officer of the Academic Senate shall be the President.  All members of the Academic Senate [except those explicitly excluded  in Section 5.4.1 and 5.4.2, below] shall have the right to vote.  The Academic Senate shall be empowered to act for the Academic Faculty in all matters except the appeal of a Presidential veto.

### 5.4.1 Composition

- Elected members of the General Faculty Assembly who are:
  - Members of the Academic Faculty, and
  - Representatives of a Department of Instruction, a College without such departments, or the Libraries [subject to the restriction of Section 5.4.3, below].
- Chairs of Academic Faculty Standing Committees.
- Ex officio members [Section 5.4.2, below]
- Elected members of the Executive Board.
- Two nonvoting student delegates.

### 5.4.2 Ex Officio Members

The President and the Provost.

Without the right to vote: the Administrator in charge of student affairs, the Administrator in charge of graduate studies, the Deans of the Colleges, and the Registrar.

### 5.4.3 Distribution of Elected Representatives

The elected representatives shall be distributed among the Departments of Instruction, the Colleges without such departments, and the Libraries in the ratio of one representative for each twenty members of the Academic Faculty (rounded). Aggregate units of Departments of Instruction and the Libraries with fewer than ten members of the Academic faculty shall be formed as required by the Executive Board.

When the number of elected representatives of the General Faculty Assembly who qualify for membership in the Academic Senate [Section 5.4.1 above] exceeds the ratio given above, the respective constituent unit shall determine which representatives are also to be members of the Academic Senate.

See http://www.facultygovernance.gatech.edu for a list of the current representatives

## 5.5 The Executive Board of the Institute

### 5.5.1 Composition

The Executive Board shall consist of representatives of the Administration, the Faculty, the Students and the Classified Employees. [See http://www.facultygovernance.gatech.edu for a list of members.]

The representatives of the Administration shall be the President and the Provost.

Representatives of the Faculty shall be elected for terms of three years. Representatives may not be elected to serve consecutive terms.

- Members shall be elected by the following units from their elected representatives in the General Faculty Assembly: each College, the Georgia Tech Research Institute, and a composite unit of Service and Central Administration.
- General Faculty members of each unit shall elect one member, who is not an administrator, for each one hundred General Faculty members (rounded) in that unit, with no less than one member and no more than three from each unit.
- Unit representation shall be based on data compiled from the Fall semester preceding the election.
- On election to the Executive Board, faculty vacate their membership on the General Faculty Assembly, and if applicable, on the Academic Senate, as an elected representative of their unit.

The representatives of the students without the right to vote shall be the Presidents of the Undergraduate Student Body and the Graduate Student Body.

The representative of the Classified Employees, without the right to vote, shall be appointed by the Executive Board after appropriate solicitation for recommendation.

### 5.5.2 Procedure

The Chair shall be elected annually by the Board from among the elected members. A quorum of the Board shall be two thirds (2/3) of the membership.

### 5.5.3 Powers

The Board shall function as the executive body of the Faculty, empowered to guide the activities of the General Faculty, the Academic Faculty, their representative bodies, and their committees, develop ways of communicating and implementing decisions, formulate plans for consideration of both immediate issues and continuing concerns, and serve, through its Chair, as official spokesperson on actions taken by the Faculty. The Board shall coordinate the activities of all Standing Committees, receive their reports, transmit them with recommendations to the appropriate body for action, and then forward the results of actions through appropriate administrative channels for implementation. Between meetings of the General Faculty, the Academic Faculty, or their representative bodies, the Executive Board shall take whatever action is deemed necessary on emergency matters within its jurisdiction.

The Board, either by origination or through recommendations, shall plan the programs for all four bodies. It shall establish the agenda for each meeting, such agenda being composed of Standing Committee reports, presentation of general issues for exploration and possible action, items suggested by the President, and items raised from the floor.

At the end of the Fall semester, the Executive Board shall appoint a Nominating Committee, charging it with preparing a slate of nominees to fill positions becoming vacant in the membership of each Standing Committee. The Nominating Committee shall be composed of six members of the Corps of Instruction, as defined in Section 5.1.1 and Section 5.3.1 (two from the Executive Board, two from the General Faculty, and two from the Academic Faculty) and one student named jointly by the student representatives to the Executive Board. The Chair shall be named by the Board from among the Faculty members. Reports for each body shall be presented by the Nominating Committee to the Executive Board and shall contain at least two nominations for each position to be filled.

The Board shall approve or disapprove participation in any postseason athletic event. Approval by the Board shall precede any official public announcement.

Actions taken by the Board shall be reported to and reviewed by the General Faculty Assembly or the Academic Senate as appropriate.

## 5.6 Standing Committees

Each Standing Committee is an instrument of the faculty body from which its power is derived. The major functions of each Committee are to assemble and evaluate information relevant to its charges, to propose formulations of policy or procedures for consideration by the parent body, and to propose recommendations for action by the parent body. After approval of a policy or procedure by the parent body, the function of the Standing Committee is to assure that all components of the Institute act in accord with the policy so long as it is in effect. Within some of its charges a Standing Committee may be empowered to act for the parent body: to translate approved policy or procedure into specific actions or judgments. Such actions and judgments remain subject to the approval or disapproval of the parent body.

There are two categories of Standing Committee: those of the General Faculty and those of the Academic Faculty,

as follows:

General Faculty

- Faculty Benefits Committee
- Faculty Honors Committee
- Faculty Status and Grievance Committee
- Statutes Committee
- Academic Services Committee
- Welfare and Security Committee

Academic Faculty

- Undergraduate Curriculum Committee
- Graduate Committee
- Student Regulations Committee
- Student Academic and Financial Affairs Committee
- Student Activities Committee
- Student Grievance and Appeal Committee
- Student Honor Committee
- Student Computer Ownership Committee

See http://www.facultygovernance.gatech.edu for list of members of the various Standing Committees.

### 5.6.1 Faculty Benefits Committee

The Faculty Benefits Committee shall consist of five members of the General Faculty elected by that body; the Administrator in charge of financial affairs; and one student with at least junior standing elected jointly by the Student Council and the Graduate Student Senate. The Chair shall be elected annually by the Committee from among the elected General Faculty members. The Secretary shall be appointed by the Chair from among the other members.

The Committee shall originate or receive recommendations relative to faculty benefits. It shall evaluate them and make appropriate recommendations to the General Faculty.

The Committee shall review annually Institute policy, plans, and procedures on such matters as insurance, retirement, sick leave, death benefits, and vacations, and make appropriate recommendations to the General Faculty.

The Committee shall make an annual review of and furnish recommendations to the Administrator in charge of personnel concerning the general policy of the Institute with regard to wage scales, working conditions, and other matters of a similar nature pertaining to non-professional employees.

The Committee shall make a comprehensive review of the complete insurance program the first year after the adoption of these Statutes and at least every fifth year thereafter and make appropriate recommendations to the General Faculty.

The Committee shall seek to promote both on and off the campus the development of facilities for the benefit of Faculty and Staff members.

### 5.6.2 Faculty Honors Committee

See Bylaws, Section 10.7.2.

### 5.6.3 Faculty Status and Grievance Committee

See Bylaws, Section 10.7.5.

The Committee may review (at its own discretion) the general policy of the Institute with regard to salary scales, tenure, teaching loads, leaves of absence, and other matters of a similar nature pertaining to members of the General Faculty. This review may also include an investigation of variations in the application of such policies by the units within the Institute. The Committee will furnish recommendations from such a review to the General Faculty for transmission to the President.

The Committee shall act as the first review board in cases of contested dismissals of members of the General Faculty.

The Committee shall receive from any General Faculty member information, suggestions, grievances, or criticisms concerning any aspect of the Institute operations or relations between or among faculty members. It shall evaluate these and transmit constructive criticism and recommendations to appropriate individuals or committees or directly to the General Faculty.

Records of Committee proceedings and supporting documents shall be preserved by the Secretary. The Committee shall deny access to these records and documents to all persons not directly involved. At the end of each academic year, the Chair shall transmit to the Secretary of the Faculty the relevant records of the FSGC for appropriate archiving.

In its distributed minutes and in the annual report of its activities and findings, the Committee shall preserve anonymity of the cases it reviews but generalize the issues involved and actions taken.

### 5.6.4 Statutes Committee

See Bylaws, Section 10.7.6.

The Committee shall originate, or receive and consider, all proposed changes in or amendments to these Statutes and Bylaws and shall make appropriate recommendations to the General Faculty.

The Committee shall maintain an up-to-date file on all Statutes, Bylaws and Regulations.

The Committee shall review related or supporting Institutional documents such as administrative manuals, regulations, and catalogs, and make whatever recommendations are necessary to bring them into accord with these Statutes and Bylaws.

### 5.6.5 Academic Services Committee

See Bylaws, Section 10.7.7.

The Committee shall annually review and make recommendations to the General Faculty concerning the policies and procedures governing academically oriented, supportive institutional functions, among which are the Library, Continuing Education, and the Computer and Research Centers.

### 5.6.6 Welfare and Security Committee

See Bylaws, Section 10.7.8.

The Committee shall annually review and make recommendations to the General Faculty concerning the policies and procedures governing such institutional functions as those concerned with health, safety, and the general welfare, among which are campus planning, campus security, parking, safety and fire protection, nuclear safeguards, civil defense, Auxiliary Services, and the Infirmary.

### 5.6.7 Undergraduate Curriculum Committee

The Undergraduate Curriculum Committee shall consist of representatives of the Administration, the Academic Faculty, and the Students, with all members having voting privileges.

The Committee shall recommend to the Academic Faculty the requirements for all undergraduate degrees and all proposals for changes in undergraduate degree requirements and curricula. It shall evaluate all new undergraduate courses and degree programs of each Department of Instruction and transmit them with recommendations to the Academic Faculty for action.

The Committee shall recommend to the Academic Faculty the establishment of guidelines regulating student petitions for course substitution and grade corrections.

The Committee shall rule on requests and appeals by undergraduate students for exceptions to established rules and regulations in academic matters.

The Committee shall continually review new methods, aids, and techniques of instruction. When significant changes are considered possible, the Committee shall make recommendations to the Academic Faculty or to the appropriate Department of Instruction.

To accomplish the systematic review of academic programs (see Section 46.1), the Committee shall, at regular intervals, make a thorough study of Institute undergraduate curricula, reviewing all appropriate documentation prepared for each unit or program going through program review. At the same intervals the Committee shall also study the division of curricula into Departments of Instruction and Centers, and the allocation of Departments of Instruction to Colleges. The committee shall report its findings to the Academic Faculty with appropriate recommendations.

### 5.6.8 Graduate Committee

The Graduate Committee shall consist of representatives of the Administration, the Academic Faculty, and the Students, with all members having voting privileges.

The Committee shall recommend to the Academic Faculty the minimum requirements for all graduate degrees and all proposals for changes in graduate degree requirements and curricula. It shall evaluate all new graduate courses and degree programs of each Department of Instruction and transmit them with recommendations to the Academic Faculty for action.

The Committee shall establish guidelines which will encourage appropriate research activities as an integral part of the graduate program and encourage high standards of student research, and foster the utilization of all available resources in the development of research activities that are supportive of the graduate programs of the Institute.

The Committee shall rule on requests and appeals by graduate students for exceptions to established rules and regulations in academic matters.

The Committee shall develop policy and minimum requirements for the admission of students to graduate programs, the admission of students to candidacy for an advanced degree, and the awarding of graduate degrees.

In consultation with the Chair of the Department of Instruction concerned, the Committee shall decide what undergraduate courses may be accepted for graduate credit and shall develop policy for qualifications of faculty members who teach graduate courses and direct thesis research.

The Committee shall develop policy for the awarding of graduate fellowships, scholarships, and assistantships.

To accomplish the systematic review of academic programs (see Section 46.1), the Committee shall, at regular intervals, make a thorough study of the quality and appropriateness of the graduate program in each Academic unit, reviewing all appropriate documentation prepared for each unit or program going through program review. At the same intervals the Committee shall also study the division of curricula into Department of Instruction and Centers, and the allocation of Departments of Instruction to Colleges. The Committee shall report its findings to the Academic Faculty with appropriate recommendations.

### 5.6.9 Student Regulations Committee

See Bylaws, Section 10.7.11.

The Committee shall originate or receive all proposed changes in or amendments to institutional regulations pertaining to the student body, both graduate and undergraduate. It shall review the proposed changes to determine whether they are in accord with these Statutes and make recommendations to the Academic Faculty.

The Committee shall define and publish, with the approval of the Academic Faculty and the President, the official policy of the Institute concerning acceptable student behavior and academic honesty. This policy shall include the definition of categories of offenses and penalties.

### 5.6.10 Student Academic and Financial Affairs Committee

See Bylaws, Section 10.7.12.

The Committee shall annually review the system for academic advising and make appropriate recommendations to the Academic Faculty.

The Committee shall establish and periodically review the qualifications for a student to receive academic honors and prizes. The Committee shall advise the office or the individual responsible for the formal programs at which such awards are presented.

The Committee shall establish policy governing the academic standing and classification of students. The Committee shall make an annual review of these policies and make appropriate recommendations to the Academic Faculty.

The Committee shall originate or receive and make recommendations regarding all changes in policy, criteria, or procedure regarding student admission and readmission to the undergraduate programs of the Institute.

The Committee shall recommend policy regarding both graduate and undergraduate financial aid. It shall make an annual review of the financial aid program and make appropriate recommendations to the Academic Faculty.

The Committee shall annually review the counseling and career planning program and orientation program for new students and make appropriate recommendations to the Academic Faculty.

The Committee shall approve all intercollegiate schedules of extracurricular activities, such as athletics and debate. In addition, the Committee shall approve all institutional functions for which excused absences from

classes for the students involved are to be granted.

#### 5.6.11 Student Activities Committee

See Bylaws, Section 10.7.3.

#### 5.6.12 Student Grievance and Appeal Committee

See Bylaws, Section 10.7.13.

The Committee shall act on its own cognizance or that of any student or group of students to define grievances, suggestions, or criticisms concerning any matter relevant to the Institute. It shall weigh and evaluate the material and transmit constructive recommendations to appropriate individuals, offices, committees, the Academic Faculty, the Student Council, or the Graduate Student Senate.

In its distributed minutes and in the annual report of its activities and findings, the Committee shall preserve the anonymity of individuals by generalizing the issues involved and the actions taken.

#### 5.6.13 Student Honor Committee

See Bylaws, Section 10.7.4.

#### 5.6.14 Student Computer Ownership Committee

See Bylaws, Section 10.7.14.

### 5.7 Appointments

#### 5.7.1 Introduction

Recommendations on appointment, renewal, promotion, or tenure of a faculty member having professorial rank shall ordinarily originate within the relevant Department of Instruction or comparable Division of the Institute and shall be presented through the prescribed channels to the President. Actions shall become final, subject to the right of appeal, upon approval by the President and the Board of Regents.

Individual faculty members may initiate a request for consideration for promotion or tenure, and this request must be processed through the prescribed channels. Candidates may, by written request, withdraw their candidacy at any stage without prejudice.

The channels for recommending renewal, promotion, or tenure of faculty members having professorial rank must be prescribed in accordance with the guiding principle that evaluations and recommendations shall be made by both appropriate administrators and committees of faculty peers.

Upon approval or disapproval of renewal, promotion, or tenure, the candidate shall be notified in writing by the President. In cases of disapproval of promotion, a candidate shall be counseled concerning the reasons for a negative decision.

Specific procedures followed in the renewal, promotion, and tenure process shall be published and distributed to the Faculty.

Promotion and tenure decisions may be appealed through appropriate channels. Recommendations of nonrenewal made to the President may be referred by him for consideration and recommendation to the Faculty

Status and Grievance Committee.

### 5.7.2 Basis of Appointment and Promotion

Every appointment or promotion shall be made solely on the basis of merit and the special abilities of the individual, as delineated in The Policy Manual of the Board of Regents (Section 8.3). Additional criteria or guidelines for renewal, promotion, and conferral of tenure in professorial ranks may be established by the President in consultation with the Executive Board and shall be published and distributed to the Faculty.

### 5.7.3 Additional Considerations

The basic criteria for the appointment and promotion of Faculty in the several institutions of the University System shall be appropriate qualifications and performance as set forth in policies of the Board of Regents. Relationship by family or marriage shall constitute neither an advantage nor a disadvantage provided the individual meets and fulfills the appropriate University System appointment and promotion standards as set forth in these policies.

No individual shall be employed in a department or unit under the supervision of a relative who has or may have a direct effect on the individual's progress, performance, or welfare.

In accordance with policies of the Board of Regents, there shall be no discrimination based upon race, color, sex, religion, creed, national origin, age, or handicap of employees in their appointment, promotion, retention, remuneration, or any other condition of employment.

For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the foregoing. Nothing in this section shall be construed in such manner as to prevent the award of a scholarship, fellowship, or assistantship to a student who is related to an employee or a member of the Faculty or the Board of Regents.

In the case of shared appointments where faculty members devote part of their time to another college, university, or division thereof, the letters of appointment shall specify the institution and department of instruction where Faculty membership and the associated rights shall reside.

### 5.7.4 Employment Contracts

Any member of the Faculty who has accepted an Employment Contract for a definite period is obligated to the Institute for that period. Such persons employed for the fiscal year or academic year of two semesters have an obligation to inform, as soon as practical, their immediate supervisor of their intention to resign on completion of the appointment period. At a minimum such persons shall give written notice of their intention to resign to the President of the Institute or an authorized representative within two weeks of being notified of the terms of the Employment Contract for the fiscal or academic year immediately following.

### 5.7.5 Notice of Resignation

Any member of the Faculty not included in the above paragraph [Section 5.7.4] who plans to leave the Institute shall give written notice at least thirty (30) days prior to the termination date.

## 5.8 Tenure and Promotion

Tenure resides at the institutional level. Members appointed to positions defined as Administrative Officers from ones defined as part of the Corps of Instruction in Section 5.1.1, retain their academic status and tenure. Others appointed to these positions shall have all the rights and privileges of Faculty members except professorial rank and tenure unless also appointed to a professorship within a Department of Instruction. Institutional responsibility for employment of a tenured individual is to the extent of continued employment on a one hundred percent (100%) workload basis for an academic year of two full semesters until retirement, dismissal for cause, or release because

of financial exigency.

Only Assistant Professors, Associate Professors, and Professors who are normally employed full-time (as defined by Regents Policies) by the Institute are eligible for tenure. Faculty members with adjunct appointments shall not acquire tenure. The term full-time is used in these tenure regulations to denote service on a one-hundred percent (100%) workload basis for an academic year of two full semesters.

Tenure may be awarded, upon recommendation by the President and approval by the Board of Regents, upon completion of a probationary period of at least five years of full-time service at the rank of Assistant Professor or higher. The five-year period must be continuous except that a maximum of two years interruption because of leave of absence or of part-time service may be permitted; provided, however, that no probationary credit for the period of an interruption shall be allowed. A maximum of three years credit toward the minimum probationary period may be allowed for service at other institutions or for full-time service at the rank of Instructor at the Institute. Such credit for prior service shall be defined in writing by the President and approved by the Chancellor at the time of the initial appointment at the rank of Assistant Professor or higher.

The maximum time that may be served at the rank of Assistant Professor or above without the award of tenure shall be seven years, provided, however, that a terminal contract for an eighth year may be proffered if the Institutes recommendation for tenure is not approved by the Board of Regents. The maximum time that may be served in any combination of full-time instructional appointment (Lecturer, Instructor, or professorial ranks) without the award of tenure shall be ten years, provided, however, that a terminal contract for an eleventh year may be proffered if an institutional recommendation for tenure is not approved by the Board of Regents. These maximum times for the probationary period of tenure do not include approved extension times established by any legitimate policy of Georgia Tech.

The maximum period of time that may be served at the rank of full-time Instructor shall be seven years.

Tenure or probationary credit toward tenure is lost upon resignation from the Institute, or written resignation from a tenured position in order to take a nontenured position, or written resignation from a position for which probationary credit toward tenure is given in order to take a position for which no probationary credit is given. In the event such an individual is again employed as a candidate for tenure, probationary credit for the prior service may be awarded in the same manner as for service at another institution.

Upon approval of the award of tenure to an individual by the Board of Regents, the individual shall be notified in writing by the President of the Institute with a copy of the notification forwarded to the Chancellor.

An annual report shall be made to the President by each unit of the Institute on the status of its Faculty. Numbers of tenured and nontenured Faculty, by rank, shall be furnished. Individuals who have been retained in full-time faculty status at the Institute for a period in excess of seven years without the award of tenure shall be identified by name and justification for such retention given. These reports shall be available for public inspection.

Any promotion denied for budgetary reasons alone shall be considered as deferred until sufficient funds become available.

In the case of shared appointments where a Faculty member devotes part-time to another college, university, or division thereof, the Notice of Appointment shall specify the institution and department of instruction where Faculty membership and the rights associated with it shall reside.

The status of a tenured Faculty member on leave of absence for service with the United States Armed Forces shall not be impaired by such service. All Faculty members in such service shall be considered on a leave status. All Faculty members in such service shall lose tenure if, within thirty days after release from Armed Forces duty, they do not notify the President of their intention to return and do not report to work within sixty days after release. It is not intended that a leave of absence for duty in the Armed Forces and, therefore, retention of tenure be extended beyond the time when the Faculty member has the opportunity to return to the Institute.

The status of a tenured Faculty member who is granted a leave of absence for a specific period, upon recommendation of the President and approval of the Board of Regents, shall not be impaired by such absence from the Institute.

## 5.9 Nonreappointments

Each year, on or before the dates specified below, the President or an authorized representative shall advise in writing all nontenured Faculty who have been awarded academic rank (Instructor, Assistant Professor, Associate Professor, Professor) and who are employed under written contract whether an employment contract for the succeeding academic year will be offered to them. Such written notice shall be delivered by hand or by certified mail, to be delivered to the addressee only, with receipt to show whom and when delivered and the address where delivered. This notification requirement does not apply to persons holding temporary or part-time positions in whatever rank stated.

Nontenured Faculty and other nontenured personnel employed under written contract shall be employed only for the term specified in their contract and subsequent future employment, if any, shall result solely from a separate offer and acceptance requisite to execution of a new and distinct contract.

Faculty members and other personnel under written contract on a temporary appointment shall be employed only for the term specified in the contract and the contract shall not be automatically renewed.

Notice of intention to renew or not to renew a nontenured Faculty member who has been awarded academic rank (Instructor, Assistant Professor, Associate Professor, Professor) shall be furnished in writing at least three months before the date of termination of an initial one-year contract; at least six months before the date of termination of a second one-year contract; at least nine months before the date of termination of a contract after two or more years of service in the Institute.

## 5.10 Procedures for Removal of Faculty Members

### 5.10.1 Introduction

Tenured Faculty members, or nontenured Faculty members before the end of their contract term, may be dismissed for any of the reasons set out in Section 17.3.2 provided that the Institute has complied with procedural due process requirements.

### 5.10.2 Preliminary Procedures

The dismissal of tenured Faculty members or nontenured Faculty members during their contract term should be preceded by:

- Discussion between the Faculty member and appropriate administrative Officers looking toward a mutual settlement.
- Informal inquiry by the Faculty Status and Grievance Committee, which may, upon failing to effect an adjustment, advise the President whether dismissal proceedings should be undertaken; its advisory opinion shall not be binding upon the President.
- A letter to the Faculty member forewarning that the member is about to be terminated for cause and informing the member that a statement of charges will be forwarded to the member upon request. The Faculty member may also request a formal hearing on the charges before a Faculty Hearing Committee. Failure to request charges or a hearing within a reasonable time shall constitute a waiver of the right to a hearing.
- A statement of charges, if requested by the Faculty member, framed with reasonable particularity by the President or a designated representative.

### 5.10.3 Provision for Hearing Committee

A dismissal as defined above shall be preceded by a statement of charges or causes (grounds for dismissal) if so requested, including a statement that the Faculty member concerned shall have the right to be heard by a Faculty Hearing Committee.

The Hearing Committee shall consist of not less than three or more than five impartial Faculty members appointed by the Executive Board, from among members of the entire Faculty (as defined by policies of the Board of Regents) of the Institute.

Members of the Hearing Committee may serve concurrently on other committees of the Faculty. The Hearing Committee will meet as a body when it is called into session by the Chair of the Executive Board either at the Chairs discretion or upon request of the President or the Faculty member who is subject to dismissal.

When the Hearing Committee is called into session, it shall elect a Chair from among its membership. Members should remove themselves from the case, either at the request of a party or on their own initiative, if they deem themselves so disqualified for bias or interest. Each party shall have a maximum of two challenges without stated cause; provided, however, that all challenges whether with or without cause shall be made in writing and filed with the Chair of the Hearing Committee at least five (5) days in advance of the date set for the hearing. The Chair shall have the authority to decide whether a member of the Committee is disqualified for cause. If the Chair determines that members are so disqualified or if members remove themselves from a case, the replacement shall be made in the same manner as the original Committee was selected. If the Chair is thus removed, the Committee shall elect a new Chair after the Committee replacements have been appointed. A minimum of three members is required for any action to be taken.

### 5.10.4 Dismissal Procedures

In all instances where a hearing is requested, the following hearing procedures shall apply:

- Service of notice of the hearing with specific reasons or charges against the Faculty member together with the names of the members of the Hearing Committee shall be made in writing at least twenty (20) days prior to the hearing. The Faculty member may waive a hearing or may respond to the charges in writing at least five (5) days in advance of the date set for the hearing. If a Faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the Hearing Committee shall evaluate all available evidence and rest its recommendation upon the evidence in the record.
- The Hearing Committee, in consultation with the President and the Faculty member, may exercise its judgment as to whether the hearing should be public or private.
- During the proceedings the Faculty member and the Administration shall each be permitted to have an academic advisor and/or counsel of their choice. The Hearing Committee shall be permitted to have advisory counsel.
- At the request of either party or the Chair of the Hearing Committee, a representative of a responsible educational association shall be permitted to attend as an observer.
- A tape recording or transcript of the proceeding shall be kept and made available to the Faculty member and the Administration in the event an appeal is filed.
- An oath or affirmation shall be administered to all witnesses by any person authorized by law to administer oaths in the State of Georgia.
- The Hearing Committee may grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.
- The Faculty member and the administration shall be afforded a reasonable opportunity to obtain necessary witnesses and documentary or other evidence.
- The Faculty member and the Administration will have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear but the Committee determines that the interests of justice require the admission of the witness statement, the Committee will identify the witness, disclose the statement, and, if possible, provide for interrogatory.
- The Hearing Committee will not be bound by strict rules of legal evidence and may admit any evidence

which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available. All questions relating to admissibility of evidence or other legal matters shall be decided by the Chair or presiding officer.

- The findings of fact and the decision of the Hearing Committee will be based solely on the hearing record.
- Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by either the Faculty member or Administrative Officers should be avoided until the proceedings have been completed, including consideration by the Board of Regents in the event an appeal is filed. The President and the Faculty member will be notified in writing of the decision and recommendation, if any, of the Hearing Committee.
- If the Hearing Committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the President. If the President does not approve the report, the President should state the reasons in writing to the Committee for response before rendering a final decision. If the Committee concludes that an academic penalty less than dismissal would be more appropriate than dismissal, it may so recommend with supporting reasons. The President may or may not follow the recommendations of the Committee.
- After complying with the foregoing procedures, the President shall send an official letter to the Faculty member notifying the member of either retention or removal for cause. Such letter shall be delivered to addressee only, with receipt to show to whom and when delivered and address where delivered. The letter shall clearly state any charges which the President has found sustained and shall notify the Faculty member that an appeal may be made to the Board of Regents for review. The appeal shall be submitted in writing to the Executive Secretary of the Board of Regents within twenty (20) days following the decision of the President. It shall state the decision complained of and the redress desired. The Board of Regents or a committee of the Board shall investigate the matter thoroughly and render its decision thereon within sixty (60) days from the date of the receipt of the appeal or from the date of any hearing which may be held thereon.
- Upon dismissal by the President, the Faculty member shall be suspended from employment without pay from the date of the final decision of the President. Should the Faculty member be reinstated by action of the Board of Regents, compensation shall be made from the date of suspension.

#### 5.10.5 Relief from Duties during Dismissal Proceedings

The President in consultation with the Executive Board shall determine whether a Faculty member confronted with a dismissal charge shall be temporarily relieved of duties.

#### 5.10.6 Designated Representative

Whenever the word President or Administration is used in these procedures, it shall be construed to include the designated representative of the President.

## 5.11 Retirement, Disability, Death Benefits, and Insurance

A Faculty member's rights to retirement because of age, years of service, or disability, to adjustments for disability and reduced services, to death benefits, and to insurance programs shall be in accordance with the Teachers Retirement Act of the State of Georgia and such supplementary provisions thereto as may be made by the Institute and the Board of Regents.

## 5.12 Departments of Instruction

A Department of Instruction (or a College without Departments) is an administrative subdivision of the Institute organized for the purpose of giving instruction and carrying on research in one of the well-organized branches of study and investigation. For the purpose of this section, the Faculty of a Department of Instruction is defined as those individuals who devote 0.38 or more EFT to that unit and have the rank of Regents Professor, Professor, Associate Professor, Assistant Professor, or Instructor.

A Chair of a Department holds office at the pleasure of the President. The Department Chair is appointed by the President with the approval of the Board of Regents. In appointment of a Chair the President shall receive the recommendation of the Provost and of the Dean of the College of which the Department is a subdivision. The Dean of the College shall make such recommendation only after extensive consultation with the Department Faculty.

The Faculty of a Department of Instruction shall, subject to the direction of the Academic Faculty, be responsible for the program of studies offered by the Department. The Faculty of a Department may recommend such changes and modifications in its curriculum as it may deem desirable and shall have the power to fix prerequisites for courses which it offers. The Faculty of a Department shall hold regular meetings no less frequently than once during each academic semester.

The Faculty of a Department shall, subject to the limitations of Regents policies and the Institute Statutes and Bylaws, make rules and regulations for its government and procedure, provide such committees as may be required, and make such other policies as may be necessary for the maintenance of high educational standards in the Department.

The Faculty of each Department (or College without Departments) shall establish an elected Departmental (or College) Committee which shall be composed of full-time members of the Department, elected by written vote of the Faculty of the Department. The Chair of the Committee shall be elected from among the members of the Committee. This Committee shall act as an advisory body to the Chair of the Department on all matters concerning the welfare of the Department.

# 6. The Students

Educational excellence in an academic community presupposes awareness of and respect both for institutional rights and duties and for individual liberties and responsibilities. The Institute has an obligation to fulfill its educational mission as effectively as its capacity and resources permit. Correspondingly, the Institute shall exercise its right to establish and maintain high academic standards and its authority to adopt and implement standards of orderly conduct which promote an atmosphere conducive to learning and meaningful individual development.

## 6.1 Admission and Acceptance

In the admission of students the Georgia Institute of Technology shall not discriminate on the basis of race, color, sex, religion, creed, national origin, age, or handicap of U.S. citizens. The Institute shall exercise its responsibility to select those applicants who, in its judgment, can best benefit from the educational programs of the Institute. All standards and policies shall be equitably applied and shall be in conformity with state and federal laws.

## 6.2 Academic Relationships

The Faculty has an obligation to evaluate the academic performances of students. Such evaluation will be conducted by the Faculty solely on an academic basis, not on opinions, conduct, or associations in matters unrelated to academic pursuits.

## 6.3 Free Inquiry, Expression, Peaceable Assembly

As a community of scholars, the Institute encourages students to examine and discuss questions and issues of interest to them. The right of peaceable assembly, fundamental to an opportunity for free inquiry and expression, shall be assured.

The mutual responsibility of the Institute and the student or student organization seeking free inquiry, expression, and peaceable assembly shall be to assure an opportunity for a reasoned approach to the resolving of issues by means of orderly procedures that insure respect for the rights of others.

The Institute shall require that in their public expressions students have the responsibility to make clear that they speak only for themselves as individuals or as representatives of a student organization.

### 6.4 Involvement in Institutional Policy and Procedures

The Institute recognizes that students may become involved constructively in efforts of individuals and organizations to improve physical and social conditions of the Institute, to increase the effectiveness of the Institute, to increase the effectiveness of the processes of learning and development of maturity, and to create larger opportunities for self-government characterized by orderly procedures and the exercise of mature judgment.

Institute regulations with respect to student conduct shall be determined by the Academic Faculty and President upon recommendations of the appropriate committees of the Academic Faculty. Students may initiate changes in rules and regulations governing them [Sections 5.6.9 and 5.6.11] or initiate proceedings dealing with infringement of their rights, both individually and collectively.

Procedural rules established by the student judicial bodies of the Institute shall be subject to the approval of the Academic Faculty.

## 7. Interpreting These Statutes

Within the Institute, the President, in consultation with the Executive Board, is the final authority for interpreting these Statutes. Before issuing a ruling, the President shall seek the advice of the Statutes Committee.

## 8. Amending These Statutes

Amendments to these Statutes may be proposed at any time by any member of the academic community. All proposals originating outside the Statutes Committee shall be submitted in writing to the Chair of that Committee. After due deliberation, the Statutes Committee shall report the proposed amendments and its recommendations to the General Faculty for initial discussion either on the first but no later than the second regular meeting after the proposed amendments have been received by the Committee. Action on the proposal may not be taken earlier than the next regularly scheduled meeting or a special meeting called for the purpose of voting on the proposed amendments. Such a special meeting shall be held no less than sixty days after the first reading, and it shall be held during the regular academic year. A favorable vote on the part of two-thirds (2/3) of the General Faculty members present shall constitute approval of the proposed amendments.

Amendments to these Statutes become effective only after approval by the President, the Chancellor, and the Board of Regents.

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Source: Statutes approved by the General Faculty: October 9, 2001

Approved by the Board of Regents: May 10, 2000

Edit made to test Log Messages

# 9. By-Laws of the Statutes

Sections 10 – 11 of the Faculty Handbook constitute By-Laws that the Faculty of the Georgia Institute of Technology sets forth for its governance, complementing the Statutes. By-Laws are distinguished from the Statutes themselves, at least in part, by some differences in the terms for their amendment.

# 10. The Faculty

## 10.1 The General Faculty

### 10.1.1 Meetings

The General Faculty shall hold at least two meetings during the academic year, on the Tuesday preceding midterm of the Fall and Spring semesters. One hundred members present at a scheduled or a properly called meeting shall constitute a quorum. Special meetings may be called on the President's own volition or shall be called by the President on petition of fifty members. In such special meetings the matters considered shall be restricted to those items listed in the call for the meeting. In the President's absence the Provost shall preside. In the absence of both the President and the Provost, the Chair of the Executive Board shall preside.

### 10.1.2 Procedure

The General Faculty shall establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified herein. Minutes shall be kept by the Secretary and shall be given general distribution and posted. A copy of the minutes of each meeting shall be sent within three days after the meeting to the Chancellor.

## 10.2 The General Faculty Assembly

### 10.2.1 Nomination and Election Procedures

Representatives of a Department of Instruction (a School, Department, or College without departments), a Laboratory or other unit of the Georgia Tech Research Institute, and sub-units of the Services and Central Administration of sufficient size as defined in Section 5.2.3 shall be elected in the Spring semester by a process to be determined by the members of that unit, except that the nominations shall be open and a secret ballot used.

Nominations and elections for remaining representatives of the aggregate units in the Services and Central Administration shall be supervised by the Executive Board.

Unit representation shall be based on data compiled from the Fall semester preceding the election.

### 10.2.2 Filling Vacancies

If representatives resign, take leave of absence, are elected to the Executive Board, or undergo a change of assignment so that they no longer qualify as members of the unit which they were elected to represent, the Executive Board shall arrange for a replacement to serve the remainder of the term. Units that elect their own representatives will be asked to hold a special election. Representatives from aggregate units will be replaced by designating the first runner-up from the most recent election to serve the remainder of the unexpired term. If the first runner-up is unable or unwilling to serve, the position goes to the second runner-up, etc. If the entire slate of nominees for that position is unable or unwilling to serve, the Executive Board shall appoint an appropriate replacement to serve the remainder of the unexpired term upon recommendation of the Executive Board's most recent Nominating Committee.

### 10.2.3 Meetings

The General Faculty Assembly shall hold at least two meetings during the academic year, on the Tuesday preceding mid-term of the Fall and Spring semesters. A majority of the membership shall constitute a quorum at a scheduled or properly called meeting. Special meetings may be called on the President's own volition or shall be called by the President on petition of one-third (1/3) of the members. In such special meetings, the matters considered shall be restricted to those items listed in the call for the meeting. In the President's absence the Provost shall preside. In the absence of both the President and the Provost, the Chair of the Executive Board shall preside.

### 10.2.4 Procedure

The General Faculty Assembly shall establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified herein or determined by the General Faculty. Minutes shall be kept by the Secretary and shall be given general distribution and posted.

## 10.3 The Academic Faculty

### 10.3.1 Meetings

The Academic Faculty shall meet at least once a year, in the Spring semester. The time of meeting shall be determined by the Executive Board. One hundred members present at a scheduled or properly called meeting shall constitute a quorum. Special meetings may be called on the President's own volition or shall be called by the President on petition of fifty members. In such special meetings the matters considered shall be restricted to those listed in the call for the meeting. In the President's absence, the Provost shall preside. In the absence of both the President and the Provost, the Chair of the Executive Board shall preside. All members of the Academic Faculty shall have the right to vote.

### 10.3.2 Procedure

The Academic Faculty shall establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified herein. Minutes shall be kept by the Secretary and shall be given general distribution and posted. A copy of the minutes of each meeting shall be sent within three days after the meeting to the Chancellor.

## 10.4 The Academic Senate

### 10.4.1 Meetings

The Academic Senate shall hold at least one meeting during each semester of the academic year. A majority of the membership shall constitute a quorum at a scheduled or properly called meeting. Special meetings may be called on the President's own volition or shall be called by the President on petition of one-third (1/3) of the members. In such special meetings, the matters considered shall be restricted to those items listed in the call for the meeting. In the President's absence, the Provost shall preside. In the absence of both the President and the Provost, the Chair of the Executive Board shall preside.

### 10.4.2 Procedure

The Academic Senate shall establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified herein or determined by the Academic Faculty. Minutes shall be kept by the Secretary and shall be given general distribution and posted.

## 10.5 The Executive Board

Elections of members of the Executive Board shall be conducted in the middle of the Spring semester. Voting shall be by preferential mail ballot.

The representatives of the students without the right to vote shall be the Presidents of the Undergraduate Student Body and the Graduate Student Body.

## 10.6 The Secretary of the Faculty

A member of the General Faculty shall be appointed the Secretary of the Faculty by the President on the recommendation of the General Faculty Assembly to serve as a permanent secretary of the various Faculty bodies: the General Faculty, the General Faculty Assembly, the Academic Faculty, the Academic Senate, and the Executive Board.

The Secretary shall not serve concurrently as a representative nor as a member of a standing committee and shall be given appropriate released time funded by the Administration.

The Secretary shall keep minutes and records, and distribute and publish the proceedings of the various bodies.

The Secretary shall accept the Nominating Committee reports from the Executive Board and shall request other nominations from the Faculty. In the Spring semester, the Secretary, under the supervision of the Executive Board, shall conduct the elections of representatives and members of Standing Committees.

## 10.7 Standing Committees

### 10.7.1 Procedure

Standing Committees shall be composed of Faculty, Administrators, and Students. Chairs of Departments of Instruction shall for the purpose of election to committee membership be considered members of the Corps of Instruction and not as administrators, except that they may not be elected to membership on committees charged with considering recommendations or matters which have involved them in their administrative capacity. Similarly, Administrators or General Faculty members in charge of certain administrative functions shall not be eligible to serve in nondesignated positions on Standing Committees that are charged with reviewing or overseeing those functions. Committee membership is by election or specific designation as provided by these Statutes/Bylaws.

Standing Committees charged with judicial activities, either initial hearings or appeals, shall proceed with dispatch to hear the cases and render decisions. No members of a Standing Committee shall participate in the consideration of an appeal of their own decision rendered in the performance of other duties.

Administrators named by these Statutes/Bylaws to be members of Standing Committees serve permanent and continuing terms, since they represent a relevant office or staff. Members of the administrator’s office or staff may be requested to meet with the Committee for consultation.

Student members of a Standing Committee, elected by the Student Council or the Graduate Student Senate or jointly, or specifically designated by these Statutes/Bylaws, shall serve a one-year term beginning at the start of the Fall semester of each academic year. They may succeed themselves once.

Elections of representatives of the Faculty and Administration to Standing Committees shall be conducted during the Spring semester by the Secretary of the Faculty. The Executive Board will prepare a slate of nominees that has at least 50% more candidates than positions to be filled in the election for each committee. Exceptions can be made when insufficient qualified candidates are available. Voters will indicate their preference for as many candidates as necessary to fill the indicated openings. Elections from these slates will be determined by the

highest vote totals from the pool of candidates for each committee.

Elected members of a Standing Committee shall serve a three-year term beginning at the start of the Fall semester and may succeed themselves once. Elected members shall serve on no more than two Standing Committees simultaneously. No elected members of the Executive Board shall serve on a Standing Committee. Faculty members who are members of a Standing Committee (or Committees) may be candidates for the Executive Board; however, if elected, they shall resign from the Standing Committee(s).

If a member of a Standing Committee resigns, takes a leave of absence, or undergoes a change of assignment so that he/she no longer qualifies as a member of the unit he/she was elected to represent, the Executive Board shall designate the first runner-up from the most recent election for that position to serve the remainder of the unexpired term. If the first runner-up is unable or unwilling to serve, the position goes to the second runner-up, etc. If the entire slate of nominees for that position is unable or unwilling to serve the Executive Board shall appoint an appropriate replacement to serve the remainder of the unexpired term upon recommendation of the Executive Board's most recent Nominating Committee. When the Chair of a Standing Committee is to be absent from the Institute during an entire semester, the committee shall elect a chair pro tempore for the period of absence.

All members of a Standing Committee have the right to vote unless specifically excluded by these Statutes/Bylaws. A committee may establish its own rules of procedure insofar as such rules are in agreement with the policy of its parent body. A committee quorum shall be a majority of the regular membership. Any member of a committee may request the Chair to call a meeting. One-third (1/3) of the members of a committee may call a meeting by distributing to all members a jointly signed call, designating purpose, day, place, and time. Only the matters stated in such a call may be acted upon at the meeting so called. With the prior approval of the Chair, any member of a Standing Committee who is compelled to be absent from a meeting may send a representative with the power to vote.

Between meetings of the General Faculty, the Academic Faculty, or their representative bodies any matters requiring emergency action and not delegated to a Standing Committee shall be referred to the Executive Board.

The minutes of each meeting of a Standing Committee shall be promptly transmitted to the Secretary of the parent body for distribution and posting. The minutes will be presented at the next meeting of the parent body for action.

Annually, each Standing Committee shall submit a written report detailing its activities and findings, distributing one copy to the Executive Board, one copy to the Secretary of the parent body for the official files, and two copies to the Library. An oral summary report shall be made to its parent body.

During its deliberations and before making recommendations, a Standing Committee shall consult with offices and persons having responsibility relevant to its charges. When a Standing Committee needs assistance to accomplish its charge, the Chair with approval of a majority of the Committee may appoint appropriate subcommittees with the approval of the Executive Board. Subcommittees so appointed shall be chaired by a member of the appointing Standing Committee, unless otherwise approved by the Executive Board, and shall be composed of appropriate persons in the Institute. Subcommittees may fall into one of two categories, ad hoc or standing. An ad hoc subcommittee shall be given a specific charge and a specific terminal date for its final report to be submitted to the parent committee. A Standing Subcommittee shall exist upon a continuing basis in order to handle a specific charge of the parent committee. Members of Standing Subcommittees shall be appointed annually. Members of a subcommittee may be present to provide whatever clarification is requested when their report is submitted to the Standing Committee and shall provide the same assistance in the meetings when the report is brought before the appropriate parent body.

### 10.7.2 Faculty Honors Committee

The Faculty Honors Committee shall consist of six members of the General Faculty elected by that body, and one student with at least junior standing elected jointly by the Student Council and the Graduate Student Senate. The Chair shall be elected annually by the Committee from among the elected General Faculty members. The Secretary shall be appointed by the Chair from among the other members.

The Committee shall originate or receive names of Faculty members to be nominated for honors and awards. It shall evaluate and take appropriate action for the awarding of such honors and awards.

The Committee shall assist in planning annual events such as the retirement dinner.

### 10.7.3 Student Activities Committee

The Student Activities Committee shall consist of five members of the Corps of Instruction elected from the Academic Faculty; the administrator in charge of student affairs; one graduate student elected by the Graduate Student Senate and two undergraduate students with at least junior standing elected by the Student Council. The Chair shall be elected annually by the Committee from among the elected Academic Faculty members. The Secretary shall be appointed by the Chair from among the other members.

The Committee shall receive all proposed changes in any Constitution of the Student Body. The Committee shall consider such changes and make appropriate recommendations to the Academic Faculty.

The Committee shall consider for approval all charters of student organizations recommended by the student government and make appropriate recommendations to the Academic Faculty.

The Committee shall originate or receive, review, and recommend to the Academic Faculty all changes in regulations for the student government concerning social fraternities and sororities, clubs, societies, student housing, student publications, intramural athletics, the Georgia Tech Student Center, and other student organizations and activities.

The Committee shall review all proposals from the student government to the President recommending the amount and distribution of student activities fees.

### 10.7.4 Student Honor Committee

The Student Honor Committee shall consist of twelve members of the Corps of Instruction elected from the Academic Faculty, six undergraduate students with at least junior standing elected by the Student Council, and three graduate students elected by the Graduate Student Senate. The Chair shall be elected annually by the Committee from among the Academic Faculty members. The Secretary shall be appointed by the Chair from among the other Committee members.

Each case referred to the Committee involving alleged dishonesty in academic matters on the part of a student shall be heard and decided by a Hearing Panel formed from the Committee members. This Panel shall be composed of three or four faculty members and two or three students with at least one student from the same group as the accused (undergraduate or graduate). Each Panel shall have a Chair appointed by the Chair of the Student Honor Committee from among the faculty members on the Panel. The decision in the case shall be transmitted to the office, or offices, responsible for recording it, for notifying the student officially, and for implementing the action.

In its distributed minutes and in the annual report of its activities and findings, the Committee shall preserve the anonymity of individuals by generalizing the issues involved and the actions taken.

### 10.7.5 Faculty Status and Grievance Committee

The Faculty Status and Grievance Committee shall consist of seven members of the Corps of Instruction, who are not administrators, elected by the General Faculty. At least four shall carry the rank of Professor. The Chair shall be elected annually by the Committee. The Secretary shall be appointed by the Chair from among the other members.

### 10.7.6 Statutes Committee

The Statutes Committee shall consist of five General Faculty members elected by that body and one student with at least junior standing elected jointly by the Student Council and the Graduate Student Senate. The Chair shall be elected annually by the Committee from the elected General Faculty members.

### 10.7.7 Academic Services Committee

The Academic Services Committee shall consist of six General Faculty members elected by that body; two administrators elected from the General Faculty; and one student with at least junior standing elected jointly by the Student Council and the Graduate Student Senate. The Chair shall be elected by the Committee from among the elected nonadministrative General Faculty members. The Secretary shall be appointed by the Chair from among the other members.

### 10.7.8 Welfare and Security Committee

The Welfare and Security Committee shall consist of four General Faculty members elected by the body; two administrators elected from the General Faculty; and one student with at least junior standing elected jointly by the Student Council and the Graduate Student Senate. The Chair shall be elected annually by the Committee from among the elected nonadministrative General Faculty members. The Secretary shall be appointed by the Chair from among the other members.

### 10.7.9 Undergraduate Curriculum Committee

The Administration shall be represented by the Administrative Officer in charge of academic affairs, the Dean of Students (without the right to vote), and the Registrar who shall be the Secretary. The Academic Faculty shall be represented by members elected from the Corps of Instruction who are not Administrators, as follows: Ten seats on the committee will be distributed among the Colleges in proportion to the fraction of the total number of undergraduate student credit hours produced in each College in the preceding academic year. Another ten seats on the committee will be distributed among the Colleges in proportion to the fraction of the total number of undergraduate majors registered in each College in the fall term of the present academic year. Then the participation of each College will be adjusted to be at least two and no more than seven members. These adjustments may result in a total number somewhat different from twenty.

These Faculty representatives shall be elected by the Academic Faculty. The Students shall be represented by one member with at least junior standing elected by the Student Council. Changes in College representation shall be made when the criterion for such changes has been met for two successive years, except that any individual elected shall have a full term of office regardless of such changes in representation. The Chair shall be elected annually by the Committee from among the elected Academic Faculty members.

### 10.7.10 Graduate Committee

The Administration shall be represented by the Administrative Officer in charge of graduate studies and by the Registrar who shall be Secretary. The Academic Faculty shall be represented by members elected from the Corps of Instruction who are not Administrators, as follows: Twenty seats on the committee will be distributed amongst the Colleges in proportion to the fraction of the total number of graduate student majors registered in each College in the fall term of the present academic year. Then the participation of each College will be adjusted to be at least two and no more than seven members. These adjustments may result in a total number somewhat different from twenty.

These Faculty representatives shall be elected by the Academic Faculty. The Students shall be represented by one graduate student elected by the Graduate Student Senate. Changes in College representation shall be made when the criterion for such changes has been met for two successive years, except that any individual elected shall have a full term of office regardless of such changes in representation. The Chair shall be elected annually by the

Committee from among the elected Academic Faculty members.

### 10.7.11 Student Regulations Committee

The Student Regulations Committee shall consist of four members of the Corps of Instruction elected from the Academic Faculty, two administrators elected from the Academic Faculty, two undergraduate students with at least junior standing elected by the Student Council, and one graduate student elected by the Graduate Student Senate. The Chair shall be elected annually by the Committee from among the elected Corps of Instruction members. The Secretary shall be appointed by the Chair from among the other members. The Administrator in charge of student affairs and the Registrar shall be ex officio members without voting rights.

### 10.7.12 Student Academic and Financial Affairs Committee

The Student Academic and Financial Affairs Committee shall consist of five members of the Corps of Instruction elected from the Academic Faculty; the Registrar, who shall be the Secretary; one graduate student elected by the Graduate Student Senate; and two undergraduate students with at least junior standing elected by the Student Council. The Chair shall be elected annually by the Committee from among the elected Academic Faculty members. The Administrator in charge of counseling and career planning shall be an ex officio member without voting rights.

### 10.7.13 Student Grievance and Appeal Committee

The Student Grievance and Appeal Committee shall consist of three members of the Corps of Instruction elected from the Academic Faculty and two students with at least junior standing elected jointly by the Student Council and the Graduate Student Senate. The Chair shall be elected annually by the Committee from among the elected Academic Faculty members. The Secretary shall be appointed by the Chair from among other members.

### 10.7.14 Student Computer Ownership Committee

The Student Computer Ownership Committee shall consist of five members of the Corps of Instruction elected from the Academic Faculty, one full-time student of freshman standing elected by the Student Council, one other full-time student elected by the Student Council, one representative from the Office of Information Technology, one representative from the Georgia Tech Computer Store, and one representative from Auxiliary Services representing the Residential Networking group, with all members having voting privileges. The Chair shall be elected annually by the Committee from among the elected Academic Faculty members. The Secretary shall be appointed by the Chair from among the other members.

The Committee shall define and periodically review and update (at least annually) the standard hardware specifications for a minimally-configured student computer.

The Committee shall originate or receive all requests to add or delete specific software from the standard software suite used by the Georgia Tech community. It shall make recommendations to the Academic Faculty regarding any significant modifications to the standard software suite. It shall make at its own discretion any minor modifications and/or revisions to the standard software suite.

The Committee shall conduct an annual review of all student computer support procedures, originate or receive all requests to modify these procedures, make recommendations for minor changes or revisions to the appropriate Administrative unit, and make recommendations for any significant changes to the Academic Faculty.

The Committee shall originate or receive and make recommendations to the Academic Faculty regarding any changes or modifications to the Student Computer Ownership policy.

The Committee shall assist in the establishment and promotion of activities that encourage the use of computers in education. When needed, the Committee shall make appropriate recommendations to the Academic Faculty or to

the relevant Department of Instruction.

### 10.7.15 Committee on Academic Integrity

The Committee on Academic Integrity shall consist of three members of the Corps of Instruction elected from the Academic Faculty, the Chair of the Student Honor Committee, one undergraduate student with at least junior standing elected by the Student Council, one graduate student elected by the Graduate Student Senate, and the Chair of the Student Honor Advisory Council. The Chair shall be elected annually by the Committee from among the elected faculty members. The Secretary shall be appointed by the Chair from among the other Committee members.

The Committee shall assess and benchmark the nature of academic misconduct at Georgia Tech and in the nation.

The Committee shall examine, assess, and recommend to the Academic Faculty methods and programs that can enhance the level of academic integrity at Georgia Tech.

The Committee shall continually review, assess, and benchmark the current organizational structure, processes, and procedures for enforcing the Student Honor Code and for hearing cases of academic misconduct. The Committee shall make appropriate recommendations to the Academic Faculty to improve this system.

The Committee may investigate and recommend to the Academic Faculty alternate methods of dispute resolution that could enhance the administration of the Student Honor Code at Georgia Tech.

The Committee shall work in parallel with the Student Honor Advisory Council to promote the Student Honor Code as an integral part of academic values at Georgia Tech.

## 10.8 Appointments

Channels for recommending renewal, promotion, or tenure of faculty members shall adhere to the following tenets:

- Recommendations by the Department Chair, Dean of the College, and the Provost shall be essential elements.
- Recommendations by faculty committees at the Department and College levels are essential elements. They shall elect their own Chairs and shall function in a manner that allows independent judgment. Written committee recommendations shall be transmitted to the appropriate administrative officials.
- The Provost shall consult with selected senior Faculty members before making recommendations to the President.

## 10.9 Duties, Responsibilities, Privileges

### 10.9.1 Introduction

The primary function of the Institute is education through teaching and research. Acceptance of appointment obligates Faculty members to perform such service in instruction and discharge such other duties as may be assigned to them during the term of appointment.

Members of the teaching staff are free to express, inside the classroom, their opinion on any matter that falls within the field of knowledge they are employed to teach and study, subject to high standards of professional ethics, accurate expression, and respect for the rights, feelings, and opinions of others.

No part of these Statutes/Bylaws may be interpreted as abridging Faculty members' power to exercise their rights as a citizen, free from institutional censorship or discipline, but their position in the community imposes an obligation of care for the interest of the Institute. Public signing of open letters, petitions, political advertisements,

etc., should preferably show the person's name only. Any indication of affiliation with the Institute should clearly state that it is for identification only and does not represent an endorsement by the Institute or by other persons in the Institute. Caution is urged on Institute members whose position in the Institute is such that private vs. official views may be difficult to distinguish by the public. A Faculty member whose civic and political activities may require a large allocation of time should consider requesting a full or partial leave of absence.

### 10.9.2 Outside Activities

Faculty members may engage in outside professional activities (including professional societies, governmental or industrial committees, review boards, panels, consultation, etc.) with or without compensation provided such activity in no way interferes with their obligations to the Institute, creates no conflicts of interest, and the extent and the nature of the activity has been fully disclosed to and approved by the Chair of their Department of Instruction or by the appropriate administrative officer in non-instructional divisions. Although consulting is to be performed only after the employee's obligation to the Institute has been fulfilled, practical considerations necessitate a limit of not more than one day per week average for any calendar quarter during those portions of the year when the employee is on full-time duty.

### 10.9.3 Absence

Faculty members, except when prevented by emergency, shall obtain approval in advance from the Chair of their Department of Instruction or from the appropriate administrative officer in non-instructional divisions to be absent from assigned duties. Faculty members shall assist in arranging for their duties to be performed during periods of their absence.

### 10.9.4 Leave of Absence

Faculty members may be granted a leave of absence for a clearly specified period of time, with or without pay, by the President with the approval of the Chancellor and the Board of Regents. Leaves with pay shall be granted only for the purpose of promoting scholarly work and encouraging professional development and shall be made only after consideration of the likelihood of the applicant's being able to accomplish the purpose for which the leave is requested, the effect that granting of the leave will have on the department or division of which the applicant is a member, and the availability of funds. Leaves without pay shall be granted to all Faculty members who are ordered to active military service of the United States.

### 10.9.5 Leave of Absence with Pay

Faculty members who have been granted a leave of absence with pay shall be required before beginning their leave to sign an agreement that they will return the full amount of compensation received while on leave if they should not remain with the Institute for at least one year of service after the termination of this leave.

### 10.9.6 Appeals

Members of the General Faculty who believe their rights have been invaded or ignored shall have a right to request consideration of their case by the Faculty Status and Grievance Committee. They may appeal the decision of the Committee to the President. If the President's decision does not settle the matter to their satisfaction they may, in accordance with The Bylaws of the Board of Regents (Section VIII), apply to the Board, without prejudice to their position, for a review of the decision. The application for review shall be submitted in writing to the Senior Vice Chancellor for Human and External Resources of the Board of Regents within a period of twenty (20) days following the decision of the President.

# 11. Amending These Bylaws

Amendments to these Bylaws may be proposed at any time by any member of the academic community. All proposals originating outside the Statutes Committee shall be submitted in writing to the Chair of that Committee. After due deliberation, the Statutes Committee shall report the proposed amendments and its recommendations to the General Faculty for initial discussion either on the first but no later than the second regular meeting after the proposed amendments have been received by the Committee. Action on the proposal may not be taken earlier than sixty days after the first reading. A special meeting of the General Faculty may be called for the purpose of voting on the proposed amendments, provided that the special meeting is held during the regular academic year. A favorable vote on the part of two-thirds (2/3) of the General Faculty members present shall constitute approval of the proposed amendments.

Amendments to these Bylaws become effective only after approval by the President.

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Source: Bylaws approved by the General Faculty. Date April 18, 2000

# 12. Other Key Faculty Governance Policies and Procedures

Sections 13 through 15 cover additional important faculty governance topics but are not parts of the Statutes or Bylaws and are subject to change by the Executive Board.

# 13. Executive Board's Guidelines to General Faculty Membership

*[Note: These Guidelines are not a part of the Statutes or Bylaws and they are subject to change by the Executive Board. They were last updated on January 16, 2001.]*

## 13.1 Powers

Section 5.1.1 of the Statutes charges the Executive Board with the responsibility for designating persons, not specifically identified by the Statutes, as members of the General Faculty.

## 13.2 Statement of Guidelines

### 13.2.1 Eligible Positions

The following position titles, not specifically designated by the Statutes, shall be eligible for General Faculty membership without the need for further review:

- Assistant to the President [See Section 5.1.1 of the Statutes]
- Associate Vice President (not just Academic Affairs)
- Associate Registrar [See Section 5.1.1]
- Associate Dean (including student affairs)
- Assistant Dean (including student affairs)
- Coaches
- Directors of Broadcasting & Sports Communication
- Director of Player Development
- Director of Nutrition
- Director of (Major Sport) Operations
- Director Level Fund Raising Positions

### 13.2.2 Generally Ineligible Positions

The following position titles shall not be eligible for General Faculty membership *[unless that status is awarded as an action under Section 5.1.1 of the Statutes:]*

- All nonexempt position titles
- Administrative Specialist
- Hospital Administrator
- Department Manager (administration)
- Division Head (administration)
- Assistant Department Manager
- Assistant Division Head
- Assistant to the Director
- Assistant to the Dean
- Associate Director (administration and student affairs)
- Assistant Director (administration and student affairs)
- Conference Coordinator
- Recreation Coordinator

### 13.2.3 Other Positions

Any title not specifically included in Sections 13.2.1 and 13.2.2 above, either by oversight or addition (since the "Guidelines" used in this review are not specifically covered by the Statutes), must be reviewed by the Executive Board (or its appropriate committee) to determine its eligibility for General Faculty membership.

### 13.2.4 Limitations for Part-Time Service

Only persons serving at least 0.75 EFT in eligible positions designated above, shall be eligible for General Faculty membership, unless otherwise approved by the Executive Board or specified by the Statutes.

### 13.2.5 Retroactive Awards

Employees hired prior to September 2000 into professional positions that require at least a master's degree or its equivalent in education and experience in a relevant field may be considered for reclassification to the category of "Professional Classified Staff" (see Statutes, Section 5.1.1). The Office of Human Resources will be responsible for identifying cases where retroactive award might be appropriate and will specify the procedures to be used in any application for change. Any change will be effective at the date of the action by OHR. The position will remain a "Professional Classified Staff" position, with the attendant qualification requirements, for all subsequent appointments to that position.

### 13.2.6 Limitations

Those members of Georgia Tech specifically designated as members of the General Faculty by action of the Executive Board and approval by the President should be designated on the basis of the appropriateness of the position that they hold for General Faculty status. The designation by the Executive Board of General Faculty status is to an individual and not to the position. Hence, new appointments to that position do not automatically receive General Faculty status and designation of such status to the new appointment is contingent upon action by the Executive Board and approval by the President. In addition, a person leaving the position for which he/she has been designated General Faculty status would lose such status unless, by action prior to approval of the Statutes, it has been granted or otherwise approved by the Executive Board, or specified by the Statutes

### 13.2.7 Delegated Decisions

Responsibility for decisions on General Faculty membership as Professional Classified Staff under Section 5.1.1 of the Statutes and Section 13.2.5 of these Guidelines is delegated to the Associate Vice President for Human Resources.

### 13.2.8 Cases Affected by Administrative Transfers

In the event of an administrative transfer of a person from a position conferring General Faculty status to a position not so designated, the Executive Board will use the following procedure to determine whether the person should be granted General Faculty status as an individual in the new position. The Office of Human Resources will notify the Faculty Status and Grievance Committee that such a transfer is proposed. Copies of this notification will be provided to the individual and the supervisor initiating the reclassification. The Committee will ascertain whether or not the individual wishes to seek General Faculty status in the new position and, if so, will then review the nature of the responsibilities in the new position and the qualifications of the individual. The Committee will recommend to the Executive Board whether the person should be granted General Faculty status as an individual in the new position under the general provisions for “Others” in Section 5.1.1 of the Statutes. In the event of a positive decision by the Executive Board then the person will hold General Faculty status as an individual and the provisions of Section 13.2.6 of these guidelines will apply. The review by the Faculty Status and Grievance Committee shall be subject to their normal rules of confidentiality.

# 14. Faculty Status and Grievance Committee Procedures

## 14.1 Information for General Faculty Members with Grievances

A faculty member may request, orally or in writing, the informal assistance of the Faculty Status and Grievance Committee (FSGC) in the resolution of grievances. The Office of Faculty Career Development Services (FCDS) or the Chairperson of the FSGC may receive written grievances and/or requests for investigation.  Such a request is not a prerequisite to the use of the grievance procedure set forth below, and the faculty member may choose to file a formal complaint prior to the completion of the informal process. The FSGC, through its Chair or another designated member of the FSGC, may conduct negotiations between the grievant and other relevant persons.

A recommended course of action will include:

### 14.1.1 Discussion with Administrator

Before filing a grievance with the FSGC, a faculty member shall first review the complaint with the administrator one level above the level of the dispute in an effort to reach a resolution.

### 14.1.2 Initiation and Processing of Complaints

If a resolution is not reached, the faculty member (“grievant”) may inquire with the chair of the FSGC about the concern, or choose to file a grievance with the FSGC or the FCDS. Each grievant should file written notice of the grievance using the form available at FCDS, which should be submitted to the FSGC through its chair or to the FCDS within a reasonable time frame after the events or actions of concern. Grievances based entirely on events or actions that occurred more than one year before the filing date will not be considered.

### 14.1.3 Decision by FSGC on Proceeding

Within approximately six weeks of receipt of the complaint, the FSGC will inform the grievant, in writing, whether it will proceed with the review, and if so, whether the FSGC will pursue informal means of resolving the grievance, undertake an investigation, or schedule a hearing. If the FSGC decides not to review the complaint, it shall give

reasons. If it decides to proceed, it shall specify in writing where and when an investigation will proceed or when and where a meeting or hearing will be held. The Chair shall send a copy of this initial response to both the grievant and the respondent. The Chair shall ensure that the person(s) against whom the grievance is filed is (are) properly identified, that specific charges are included, and that the form of requested redress is included. The Chair shall inform the grievant that this written request, together with any supporting documentation, will be given to the person(s) grieved against, in an attempt to support the clarification and resolution of the case. In like fashion, any documentation made available to the FSGC by the person(s) grieved against will be given to the grievant.

#### 14.1.4 Informal Resolution

If the FSGC pursues informal resolution, the Chair of the FSGC and/or designated member/s of the FSGC shall pursue negotiation, mediation, or other informal means. If the Chair or other FSGC members are unable to begin doing so within forty-five (45) working days after receipt of the grievance, the FSGC shall so notify the grievant in writing. If the FSGC determines that informal resolution is not likely to achieve resolution of a grievance, and the grievant so desires, the Committee will proceed to the investigation phase explained in the following section.

## 14.2 Procedures for the Conduct of an Investigation

The Chair shall inform each party of the names of the other parties and the nature of the complaint, if this was not already done at an earlier stage. The Chair will also advise the grievant and the respondent of the procedures in the grievance process.

The Chair will select three members of an investigation committee, consisting of members of the FSGC and/or individual faculty appointed to serve as FSGC investigators by the Executive Board. The FSGC chair may serve as a member of the subcommittee. These three individuals will serve as a subcommittee for the purposes of investigating the complaint.

In the course of its investigation, the subcommittee shall interview the grievant, the respondent, and any other persons who, in the view of the subcommittee, may have relevant information.

At the conclusion of the investigation, the subcommittee shall submit a written report to the FSGC. The FSGC may amend the report or accept it. The preliminary report will then be sent to both the grievant and the respondent.

The parties shall have ten (10) business days after receipt of the preliminary report to address the findings of the report. This may be in the form of a written response by either party or a request for a formal hearing by the grievant.

- A written response should state any disagreement with the committee’s findings and should not be longer than two pages. The Chair shall arrange an exchange of responses between the grievant and respondent for informational purposes only. The lack of a response by a party shall be interpreted as acceptance by that party of the factual and interpretive information contained in the FSGC’s preliminary report.
- If the grievant wishes to pursue a formal hearing, a written request for a hearing must be submitted as part of the response to the FSGC’s preliminary report.
- If no request for a hearing is made at that time, the grievant has waived the right to a formal hearing, and the FSGC’s final report, together with any responses to it, shall be submitted to the President.
- The FSGC will make a report to the President within approximately ninety days from the time a grievance is received. The President shall make a decision on the case and convey that decision in writing to the parties and to the Chair of the FSGC within twenty-one days of receipt of the FSGC’s recommendations.
- If a party requests a formal hearing, the FSGC shall follow the procedures below, and no report shall be made to the President until that process is concluded.

Once considered by the FSGC, a grievance may not be reopened unless, in the judgment of the Chair, there is significant new evidence that was not available at the time of the FSGC’s decision. Future grievances will be reviewed without prejudice.

## 14.3 Information and Procedures for Parties Presenting Cases Before a Formal Hearing Committee

### 14.3.1 Authorization

A formal hearing shall be authorized by the Faculty Status and Grievance Committee under the following circumstances: (a) a grievant makes a written request for a formal hearing within ten working days after receipt of the report of the FSGC concerning an investigation; or (b) the Statutes or Institute policies require a formal hearing by the FSGC.

### 14.3.2 Notification

A copy of the charges made by the grievant(s) will be provided to the respondent(s).

### 14.3.3 Formulation of a Formal Hearing Committee

A formal hearing is conducted by a committee consisting of four faculty members chosen from the General Faculty and a Chair who is a member of the FSGC.

The Office of Human Resources of Georgia Institute of Technology will generate a list of twenty-four potential members of the Formal Hearing Committee by a random selection from the membership of the General Faculty. If the grievance pertains to redress of decisions related to academic faculty status such as rank or tenure, then the generated list shall consist of only academic faculty of appropriate rank and tenure status. The FSGC shall remove from the list of twenty-four any persons who are: members of the FSGC, Executive Committee Liaison to the FSGC, parties to the grievance, or witnesses. The number shall then be restored to twenty-four by random selection. This process shall be continued until a qualified list is selected. Prior to the formal hearing, the grievant and the respondent will meet with the Chair of the FSGC for the purpose of striking names alternately until four members of the Formal Hearing Committee have been selected. The last two names struck will become alternates. Members of the Formal Hearing Committee must have approval of the Chair of the FSGC to be excused from the assignment. An excused person will be replaced by an alternate. The Formal Hearing Committee shall be chaired by a member of the FSGC.

Dismissal hearings for tenured faculty members, or non-tenured faculty members before the end of their contract term, shall be conducted pursuant to procedures established by the Bylaws of the Board of Regents and the Statutes of the Institute (Section 5.10).

### 14.3.4 Presentation of Cases

The grievant(s) and the respondent(s) are normally expected to present their own cases. However, all parties may have an advisor present at the hearing, and, when justice requires, the Chair of the FSGC or the Chair of the Formal Hearing Committee shall authorize an advisor to present a case. On request, the Chair of the FSGC may appoint an advisor to assist a party or to present the case of a party. Attorneys may be advisors but may not present cases.

### 14.3.5 Time

The Chair will establish a time limit for the entire proceedings as well as for its parts. Thus, the grievant(s) and the respondent(s) will be given a specified time for their brief opening statements, for presenting their cases, for cross-examination, for redirect examination, for rebuttal (by the grievant), and for closing statements. The agenda, with time limits, will be distributed by the Chair eight working days before the hearing.

The Chair will exercise authority to cut off "filibustering" or obvious repetition, and to enforce time limits.

### 14.3.6 Who May be Present for Formal Hearings of the FSGC

The hearing may be closed except to the members of the Formal Hearing Committee, the parties, and members of the Faculty Status and Grievance Committee. Advisors to parties, as heretofore described, may be present.

### 14.3.7 Order of Presentation

1. The grievant(s) and respondent(s) will make brief opening statements. Each statement shall lay out the general nature of the case, without presenting evidence.

2. Following the opening statements, the parties will present their cases with the grievant(s) making the first presentation(s). At this time any documents or testimony relevant to the case may be presented.

3. Each party will have the right of cross-examination directly after the presentation of evidence by each witness. Redirect examination will be permitted. No new evidence may be introduced during the cross- or redirect examination.

4. An opportunity for rebuttal will be provided to the grievant.

5. Each party may make a closing statement. This is an opportunity for summary and argument and not for the presentation of new evidence.

### 14.3.8 Evidence

In general, any item may be presented as evidence so long as it is relevant and material. Each party shall prepare at least seven copies of all material intended for use in the presentation: one copy for each side and five copies for the Formal Hearing Committee. The copies shall be provided with covers, in either notebooks or clasped folders. Lengthy materials, such as papers and publications, should be summarized or referenced if their contents are not specifically germane to the hearing. Material not included in the copies will not be admitted at the hearing.

The copy for the other party must be delivered to the Hearing Chair ten working days before the hearing. The designated recipients of these copies should arrange to obtain them from the Hearing Chair no sooner than nine working days before the hearing. Material which is not available at the time that the seven copies are delivered to the Hearing Chair may still be admissible as evidence, at the discretion of the Chair. In such a case, this new material will be distributed to all parties by the Chair prior to the hearing.

Rebuttal material and background documents need not be included in the distribution copies, but must be available for examination by the other side and the Hearing Committee during the hearing. Such items will be labeled as exhibits and will become part of the record.

### 14.3.9 Witnesses

Each party may call witnesses. Witnesses will be sequestered upon request of a party or by direction of the Chair. At least ten working days before the scheduled hearing, each party shall provide the Hearing Committee Chair a list of witnesses who will be called and a list of witnesses who may be called. The other party should arrange to obtain these lists from the Hearing Chair no sooner than nine working days before the hearing. The responsibility for notifying each witness resides with the party who has designated that witness.

### 14.3.10 Tape Recording

The proceedings will be tape recorded or taken down by a court reporter. The tapes or the transcript will be the official record of the proceeding and will be preserved by the Secretary of the FSGC.

#### 14.3.11 Recommendations to the FSGC

The Chair and the other four members of the Formal Hearing Committee will prepare written findings and recommendations to be given to the full FSGC. The Chair of the FSGC shall submit the Formal Hearing Committee's report, together with any recommendations of the FSGC, to the parties, to the President, and to other administrators, as appropriate, normally within thirty days of the hearing. In the transmittal letter, it should be stated that the recommendations are intended to aid the resolution of the case. The President shall make a final decision on the case and convey that decision in writing to the parties and to the Chair of the FSGC, normally within twenty-one days of receipt of the FSGC recommendations.

Source: Faculty Status and Grievance Committee. Date: 4/2008

# 15. InterCollegiate Athletics Governance

## 15.1 Purposes

Georgia Tech is committed to the development, preparation, support, and graduation of student-athletes involved in intercollegiate athletic activities. The Faculty is vitally interested in promoting participation in athletics programs in a way that enhances the educational programs of the Institute, so that Georgia Tech student athletes are encouraged to excel in the classroom, on the field, and in life.

## 15.2 Key Roles in Athletics Governance

The Institute administration, the Georgia Tech Athletic Association Board of Trustees, and the faculty all play vital roles ensuring that Georgia Tech intercollegiate athletic programs meet the high purposes just stated.

#### 15.2.1 Institute Administration

The President of the Institute is committed to the achievement and maintenance of the highest standards in intercollegiate athletics as a harmonious part of the whole educational mission of the Institute. The President implements this through a system of athletics governance and a number of key appointments outlined below. In addition, an Executive Director of Affiliated Organizations, reporting to the Senior Vice President for Administration and Finance, has oversight of the business operations of all affiliated organizations, including the Georgia Tech Athletic Association.

#### 15.2.2 Georgia Tech Athletic Association Board of Trustees**

***Based on the Bylaws of the Georgia Tech Athletic Association, 2004*

The Georgia Tech Athletic Association (GTAA) exists to promote the educational program of the Georgia Institute of Technology by affording facilities for and encouraging participation by the student body in healthful exercises, recreation, athletic games, and contests. The Georgia Tech Athletic Association Board of Trustees has control of the intercollegiate athletics conducted at or in the name of the Georgia Institute of Technology and all of the business affairs of the Georgia Tech Athletic Association.

The voting membership of its Board of Trustees shall consist of the President of the Georgia Institute of Technology; the Treasurer of the Association, who shall be Georgia Tech's Senior Vice President for Administration and Finance; eight members of the Georgia Tech faculty, of whom six must be members of the academic faculty (one of whom shall be designated by the President as the Faculty Athletics Representative); three alumni; and three Georgia Tech students.

The faculty, alumni, and honorary members of the Board of Trustees of the Association shall be appointed by the

Georgia Tech President for a term of three years and may be reappointed. The President will consult with the Executive Board concerning the appointment of the Faculty Athletics Representative and with the Chair of the Executive Board for the remaining faculty appointments to the Board of Trustees, each time appointments or reappointments are made. These appointments should be made with care to ensure that each faculty member can represent the educational interests of Georgia Tech with independence and effectiveness.

The Director of Athletics shall be hired by and with the approval of the Board of Trustees. The Director of Athletics shall be responsible to the Board for the proper conduct of intercollegiate athletics, for the maintenance and efficient use of the physical plant of the Association, and for the general administration of the affairs of the Association according to the directions and regulations of the Board.

### 15.2.3 Faculty Athletics Representative

*** *Based on the NCAA Faculty Athletics Representative Handbook, January 1998*

The Faculty Athletics Representative should ensure, either directly or indirectly, that student-athletes meet all NCAA, conference, and institutional requirements for eligibility for practice, financial aid, and intercollegiate competition. This should include both initial and continuing academic eligibility requirements for both freshmen and transfer student-athletes. These certifications should be performed by the Faculty Athletics Representative, performed under the direction of the Faculty Athletics Representative or, at a minimum, periodically reviewed and audited by the Faculty Athletics Representative. Academic eligibility certifications should be performed by persons outside of the athletics department.

The Faculty Athletics Representative should develop, or arrange to have developed, periodic statistical reports on the academic preparation and performance of student-athletes for each sports team. This information should be provided by the GTAA academic support staff and the Registrar's Office. The Faculty Athletics Representative should be knowledgeable about the academic preparation and performance of each sports team and should use such reports to uphold high academic standards and expectations for these team members. Such reports should be shared with the Faculty Senate in accordance with the reporting requirement covered in Section 15.2.4.

The Faculty Athletics Representative should be responsible, either directly or indirectly, for institutional compliance activities or responsibilities, which involve campus entities outside the athletics department. Such entities include, but are not limited to, the following: (1) Office of Student Financial Planning and Services, (2) Office of Undergraduate Admission, (3) Registrar's Office, and (4) offices of the Provost and the Deans of the colleges. The Faculty Athletics Representative should work in concert with the Director of Athletics to ensure a comprehensive and effective rules education and compliance program at Georgia Tech.

The Faculty Athletics Representative should be knowledgeable about the NCAA and conference rules related to academic eligibility, transfer requirements, and restrictions and enforcement procedures. He or she should participate, or otherwise be fully informed about, institutional investigations of allegations of rules violations. No infractions report to either the NCAA or a conference should leave the campus until it has been reviewed by the Faculty Athletics Representative. He or she should play a major and direct role in matters that potentially involve major violations of NCAA rules.

The Faculty Athletics Representative should have direct contact with student-athletes on a systematic and periodic basis. He or she should participate in new student-athlete orientation activities and should interact frequently with student-athlete advisory committees. Student-athletes should recognize the Faculty Athletics Representative as a source of information, support and counseling, which is located administratively outside of the athletics department.

The Faculty Athletics Representative is a senior advisor outside of the athletics department to the President of Georgia Tech on matters related to intercollegiate athletics. Together, with the Director of Athletics, the Faculty Athletics Representative formulates and recommends institutional positions on NCAA legislation and other matters affecting, or related to, intercollegiate athletics on the campus.

The Faculty Athletics Representative represents Georgia Tech to the NCAA and to the Atlantic Coast Conference

of which Georgia Tech is a member.

The Faculty Athletics Representative should be an active member of the Georgia Tech Athletic Association Board of Trustees.

#### 15.2.4 Academic Senate

The Faculty Athletics Representative shall make an annual presentation to the Academic Senate on the state of Georgia Tech's intercollegiate athletics program, covering contributions to the education mission of the Institute, statistical information on the academic performance of the participants in the programs, compliance with all institutional, conference, and NCAA regulations, and any matters of concern in the planning and implementation of programs in relation to the best interests if the Institute. Appropriate matters of faculty concern shall be referred to the appropriate offices or committees of the faculty.

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Source: Executive Board and Statutes Committee. Date: 10/2004

# 16. Appointment, Promotion, Tenure, Salary for Georgia Tech Faculty

Sections 17 -- 27 of the Faculty Handbook describe policies followed in key faculty personnel actions and are largely derived from policies of the Board of Regents, as noted below.

# 17. Academic Qualifications and Faculty Status

*Minimum standards established by the Board of Regents*

## 17.1 Qualifications for Faculty Appointments

***The Policy Manual of the Board of Regents, February 2004, Section 803.0102.*

Minimum employment qualifications for all academic ranks within the Institute shall be:

1. Consistent with the Southern Association of Colleges and Schools' requirements for institutional accreditation;
2. Evidence of ability as a teacher;
3. Evidence of ability and activity as a scholar in all other aspects of duties assigned;
4. Successful experience (this must necessarily be waived in the case of those just entering the academic profession who meet all other requirements); and
5. Desirable personal qualities judged on the basis of personal interview, complete biographical data, and recommendations.

Consistent with Board of Regents policy for Research Universities, initial appointees to the associate or full professorial rank should have the terminal degree in the appropriate discipline or equivalent in training, ability, or experience.

Evidence of current academic credentials (or equivalents) shall be maintained by the Institute for all faculty members, including any part time, temporary, or visiting instructors.

## 17.2 Criteria for Promotion

***The Policy Manual of the Board of Regents, February 2004, Section 803.08.*

Minimum expectations in all professorial ranks are:

1. Superior teaching.
2. Outstanding service to the institution.
3. Academic achievement.
4. Professional growth and development.

Noteworthy achievement in all four of the above need not be demanded, but should be expected in at least two. A written recommendation should be submitted by the head of the department concerned setting forth the reasons for promotion. The faculty member's length of service with an institution shall be taken into consideration in determining whether or not the faculty member should be promoted.

In accordance with Regents' policy for Research Universities, promotion to the rank of associate or full professor additionally requires the earned doctorate or its equivalent in training, ability, and/or experience. Neither the possession of a doctorate nor longevity of service is a guarantee per se of promotion.

## 17.3 Tenure

**_The Policy Manual of the Board of Regents, September 2011,_ Section 8.3.7.

The requirements listed below shall be the minimum standard for award of tenure, but they are to be sufficiently flexible to permit an institution to make individual adjustments to its own peculiar problems or circumstances. These policies are to be considered a statement of general requirements which are capable of application throughout the System and are not a limitation upon any additional standards and requirements which a particular institution may wish to adopt for its own improvement. Such additional standards and requirements, which must be consistent with the Regents' policies and approved by the Board of Regents, shall be incorporated into the statutes of an institution.

Tenure resides at the institutional level. Institutional responsibility for employment of a tenured individual is to the extent of continued employment on a 100% workload basis for two out of every three consecutive academic terms (normally for fall and spring terms) until retirement, dismissal for cause, or release because of financial exigency, or program modification as determined by the Board.

Normally, only assistant professors, associate professors, and professors who are employed full-time (as defined by Regents' policies) by an institution are eligible for tenure. (BR Minutes, 1979-80, p. 73; 1980-81, p. 303; 1990-91, pp. 369- 70).

The term "full-time" is used in these tenure regulations to denote service on a 100% work load basis for at least two out of three consecutive academic terms.

Faculty members with adjunct appointments shall not acquire tenure. The award of tenure is limited to the above academic ranks and shall not be construed to include honorific appointments. (BR Minutes, 1990-91, pp. 369-70).

Tenure may be awarded, upon recommendation by the President and approval by the Board of Regents, upon completion of a probationary period of at least five years of full-time service at the rank of assistant professor or higher. The five-year period must be continuous except that a maximum of two years interruption because of a leave of absence or part-time service may be permitted, provided, however that an award of credit for the probationary period of an interruption shall be at the discretion of the President. In all cases in which a leave of absence, approved by the President, is based on birth or adoption of a child, or serious disability or prolonged illness of the employee or immediate family member, the five-year probationary period may be suspended during the leave of absence. A maximum of three years credit toward the minimum probationary period may be allowed for service in tenure track positions at other institutions or for full-time service at the rank of instructor or lecturer at the same institution. Such credit for prior service shall be defined in writing by the President and approved by the Board of Regents at the time of the initial appointment at the rank of assistant professor or higher.

Except for the approved suspension of the probationary period due to a leave of absence, the maximum time that may be served at the rank of assistant professor or above without the award of tenure shall be seven years,

provided, however, that a terminal contract for an eighth year may be proffered if a recommendation for tenure is not approved by the Board of Regents. The maximum time that may be served in combination of full-time instructional appointments (instructor or professorial ranks) without the award of tenure shall be 10 years, provided, however, that a terminal contract for the 11th year may be proffered if a recommendation for tenure is not approved by the Board of Regents. (BR Minutes, 1992 - 93, p. 188; April 2000, pp. 31-32)

Except for the approved suspension of the probationary period due to a leave of absence, the maximum period of time that may be served at the rank of full-time instructor shall be seven years. (BR Minutes, April 2000, pp. 31-32)

Tenure or probationary credit towards tenure is lost upon resignation from an institution, or written resignation from a tenured position in order to take a non-tenured position, or written resignation from a position for which probationary credit toward tenure is given in order to take a position for which no probationary credit is given. In the event such an individual is again employed as a candidate for tenure, probationary credit for the prior service may be awarded in the same manner as for service at another institution.

Upon approval of the award of tenure to an individual by the Board of Regents, that individual shall be notified in writing by the president of his/her institution, with a copy of the notification forwarded to the Chancellor or his/her designee. Should the decision be not to renew a non-tenured faculty member, the process followed is covered in Section 17.4.2 and following.

Each institution shall provide data annually to the Senior Vice Chancellor for Academics and Fiscal Affairs showing the institution's tenure rates by gender and race.

### 17.3.1 Hiring with Tenure

Notwithstanding anything to the contrary in this Handbook, in exceptional cases the Georgia Institute of Technology may recommend to the Board of Regents that an outstanding distinguished senior faculty member be awarded tenure upon the faculty member’s initial appointment. Each such recommendation shall be considered by the Board individually and shall be granted only in cases in which the faculty member, at a minimum, is appointed as an associate or full professor, was already tenured at his or her prior institution, and brings a demonstrable national reputation to Georgia Tech (BR Minutes, 1983-84, p. 94; May, 1996, p. 52; April 2000, pp. 31-32).

In cases where a unit of Georgia Tech wishes to pursue hiring with tenure, the following procedures should be followed:

- The academic head (Dean/Chair) responsible for the hire should prepare a written letter making the case for hiring with tenure. This letter, along with a complete Biographical Sketch or Curriculum Vitae detailing the relevant career activities of the individual should be forwarded to a committee of the faculty for review.
- A committee of the faculty should review the qualifications of the candidate, and render a consultative vote as to whether the candidate should be hired with tenure. This committee may be a standing Reappointment, Promotion, and Tenure (RP&T) committee within the unit, or an ad hoc committee of the faculty organized to review the case for tenure upon appointment. Members of an ad hoc committee must meet the unit’s qualifications to sit on an RP&T committee in that unit. The committee should review all of the application materials submitted by the candidate, and may request additional materials (e.g. written letters of reference).
- The faculty committee should use the appropriate criteria for appointment and tenure at the rank of Associate Professor or Professor as established in the Faculty Handbook and as may be further specified within the unit considering the candidate.
- The committee should prepare a written letter to the academic head of the unit, and record its vote on the case for tenure on appointment.
- The letter from the academic head (Dean/Chair) and the letter from the faculty committee should be forwarded to the Provost and Executive Vice President for Academic Affairs for his/her review and final determination whether the Institute will petition the Board of Regents for tenure upon appointment.

### 17.3.2 Grounds for Removal

***The Policy Manual of the Board of Regents, April 2011, Section 8.3.9.*

The President may at any time remove any faculty member or other employee of Georgia Tech for cause. Cause shall include willful or intentional violation of the policies of the Board of Regents or the Statutes of Georgia Tech. Further causes or grounds for dismissal are set forth below.

A tenured faculty member or a non-tenured faculty member, before the end of his/her contract term, may be dismissed for any of the following reasons provided that the Institution has complied with procedural due process requirements:

- Conviction or admission of guilt of a felony or of a crime involving moral turpitude during the period of employment--or prior thereto if the conviction or admission of guilt was willfully concealed;
- Professional incompetency, neglect of duty, or default of academic integrity in teaching, in research, or in scholarship;
- Unlawful manufacture, distribution, sale, use or possession of marijuana, a controlled substance, or other illegal or dangerous drugs as defined by Georgia laws; teaching or working under the influence of alcohol which interferes with the faculty member's performance of duty or his/her responsibilities to the Institute or to his/her profession; (BR Minutes, 1989-90, pp. 384-385).
- Conviction or admission of guilt in a court proceeding of any criminal drug offense; (BR Minutes, 1989-90, pp. 384- 385).
- Physical or mental incompetency as determined by law or by a medical board of three or more licensed physicians and reviewed by a committee of the faculty;
- False swearing with respect to official documents filed with the Institute;
- Disruption of any teaching, research, administrative, disciplinary, public service or other authorized activity;
- Such other grounds for dismissal as may be specified in the Statutes of the Institute.

Sanctions short of dismissal may be considered. In the imposition of sanctions, the burden of proof lies with Georgia Tech. (BR Minutes, 1951-52, pp. 315-19, pp. 159-60; 1966-67 p. 206; 1969-70, pp.21-22; 1974-75, pp. 304-13; 1982- 83, p. 254).

Source: Statutes Committee. Date: 4/2011

## 17.4 Notice of Employment and Resignation

***The Policy Manual of the Board of Regents, February 2004, Section 803.06.*

### 17.4.1 Tenured

All tenured faculty members employed under written contract for the fiscal or academic year shall give at least sixty days written notice of their intention to resign to the president of the institution or to his/her authorized representative.

### 17.4.2 Non-tenured

Each year, on or before the dates specified in Regents' tenure regulations, the president of an institution or his/her authorized representative, shall advise, in writing, all non-tenured faculty who have been awarded academic rank (instructor, assistant professor, associate professor, professor) and who are employed under written contract whether an employment contract for the succeeding academic year will be offered to them. Such written notice shall be delivered by hand or by certified mail, to be delivered to the addressee only, with receipt to show to whom and when delivered and the address where delivered.

Notice of intention to renew or not to renew a nontenured faculty member who has been awarded academic rank (instructor, assistant professor, associate professor, professor) shall be furnished, in writing, according to the following schedule:

- At least three months before the date of termination of an initial one-year contract;
- At least six months before the date of termination of a second one-year contract; or
- At least nine months before the date of termination of a contract after two or more years of service in the Institution. This schedule of notification does not apply to persons holding temporary or part-time positions, or persons with courtesy appointments, such as adjunct appointments.

Non-tenured faculty and other non-tenured personnel employed under written contract shall be employed only for the term specified in the contract, and subsequent or future employment, if any, shall result solely from a separate offer and acceptance requisite to execution of a new and distinct contract (BR Minutes, 1964-65, pp. 614-16; 1970-71, pp. 685-87; 1974-75, pp. 304-13; 1980-81, p. 137).

## 17.5 Program Modification

***The Policy Manual of the Board of Regents, February 2004, Section 803.0901.*

As part of its broad constitutional authority to manage the University System of Georgia, the Board of Regents may exercise its authority to modify programs offered by the System generally or at various institutions of the System. Such modification may be a part of a change of institutional mission and may result in discontinuation of programs or reduction in size thereof. A program modification of such magnitude that requires the termination of tenured faculty members will be implemented only after completion of a study, with institutional administrative and faculty participation, by the Chancellor's staff. The Chancellor will report the results of that study to the Board along with recommended guidelines under which program modification will be effected. (BR Minutes, 1982-83, p. 254)

## 17.6 Non-Tenure Track Personnel

***The Policy Manual of the Board of Regents, February 2004, Section 803.10.*

Institutions of the University System are authorized to establish professional positions designated as non-tenure track positions. Each institution shall prepare annually, along with its budget, a list of positions so designated for submission to and approval by the Chancellor or his/her designee. Subsequent requests for such designations submitted during the budget year must also be approved by the Chancellor or his/her designee. Positions designated as non-tenure track positions or as tenure track positions may be converted to the other type only with approval by the Chancellor or his/her designee.

Non-tenure track positions may be established for full-time professional personnel employed in administrative positions or to staff research, technical, special, career, and public service programs or programs which are anticipated to have a limited lifespan or which are funded, fully or partially, through non-System sources. There shall be no maximum time limitation for service in positions in this category.

The following provisions shall apply to all non-tenure track professional personnel:

- Individuals employed in non-tenure track positions shall not be eligible for consideration for the award of tenure.
- Probationary credit toward tenure shall not be awarded for service in non-tenure track positions.
- Notice of intention to renew or not to renew contracts of non-tenure track personnel who have been awarded academic rank (Instructor, Assistant Professor, Associate Professor, Professor, Professor of the Practice) shall follow the schedule required for tenure track personnel. This schedule of notification shall not apply to other professional personnel.
- Individuals employed in non-tenure track positions may apply on an equal basis with other candidates for tenure track positions which may become available.

The transfer of individuals from tenure-track positions to non-tenure track positions shall be effected on a voluntary basis only. (BR Minutes, 1982-83, pp. 255-256)

## 17.7 Professor of the Practice

Institutions of the University System are authorized to establish a non-tenure track position designated as Professor of the Practice for qualified academic, business, or government leaders. Due to the stature of individuals to be offered this position, the category will have only one rank; namely, Professor of the Practice.

The qualifications and expectations for this position are as follows:

- Have substantial bases of experience, normally of at least 10-15 years, and a national/international reputation for excellence.
- Have rich and extensive backgrounds in fields and disciplines related to the school or college of appointment at the Institute.
- Will serve as liaisons between industry or government and the Institute in identifying teaching and research opportunities that support the public interest and societal needs.
- May be expected (depending on circumstances of their appointment) to generate financial resources to support and enhance the Institute programs in which they work.

The guidelines for implementation are:

- General duties and responsibilities must be agreed upon in advance with each Professor of the Practice and her/his chair and/or dean.
- Appointments as Professor of the Practice may be fulltime or part-time. Individuals appointed to 50% time or greater are eligible for fringe and retirement benefits normally provided to Georgia Tech faculty.
- “Professor of the Practice” is a non-tenurable title which falls under the Board of Regents job classification of “Academic Professional with Academic Rank”. This classification carries with it membership in the General Faculty of the Institute. Appointments must be consistent with the University System policies for non-tenure track personnel as described in Section 17.6.
- The position may be described as “Professor of the Practice of X,” where X is an academic discipline or specialty. For communications purposes, a Professor of the Practice may represent himself or herself with a shorter title as “Professor of X.”
- Professors of the Practice will be reappointed annually but with no limit as to the number of years that may be served.
- Professors of the Practice will participate in an annual evaluation, as is regularly conducted for tenure track faculty. Performance will be evaluated during this annual review, with actions and recommendations made as appropriate.
- During the term of their appointment, Professors of the Practice are subject to, and protected by, the same Institute policies concerning academic freedom as tenured and tenure track faculty.
- Funding sources for Professors of the Practice may include the Institute, College, School, or Center, or some combination of these, and the funds may consist in whole or part of funds generated by the individual.
- Schools and Colleges at the Institute have considerable latitude in developing complementary policies and procedures for Professors of the Practice as long as they are consistent in spirit with overall policies detailed in this Section.
- The Institute and its Schools and Colleges will adopt appointment and reappointment policies that, in general, parallel, those followed for tenure track faculty, though they need not be as elaborate as the latter and the criteria will be different. At minimum, these policies will involve on-campus interviews of the individual being proposed for a position as Professor of the Practice, input into the decision by a body of the faculty in the School or College, recommendation of the Chair and/or Dean, and approval by the Provost. Faculty involvement in the decision to hire should be identical to those procedures used for hiring tenured full professors.

## 17.8 Employment Beyond Retirement

***The Policy Manual of the Board of Regents, February 2004, Section 802.0903.*

When an individual retires from the University System of Georgia and is receiving benefits from the Teachers Retirement System, the Employees Retirement System, or the Regent's Retirement Plan, he/she shall not be reemployed by the University System without the prior approval of the Board of Regents. When an employee has retired from the University System of Georgia, he/she may be reemployed by the University System of Georgia under the following conditions:

1. The reemployment of a University System of Georgia retiree must be approved by the Board of Regents;
2. A rehired retiree must have a minimum break of 30 days between the effective date of his/her retirement and the effective date of his/her reemployment;
3. The work commitment of a rehired retiree must be less than half-time; i.e., less than 50%;
4. The salary that is paid to a rehired retiree must be less than 50% of the annual benefit-base compensation amount that he/she was earning at the time of his/her retirement; and
5. The salary that is paid to a rehired retiree must be consistent with his/her work commitment

(BR Minutes, April 2002).

## 17.9 Faculty Summer Salaries

***The Policy Manual of the Board of Regents, February 2004, Section 803.1403.*

Payment of compensation to faculty members for full-time employment during the summer session shall be at a rate not to exceed 33-1/3% of their regular nine months compensation for the previous academic year (BR Minutes 1950-51, p.333; 1984-85, p. 80).

Source: Statutes Committee. Date: 2004

# 18. Promotion and Tenure of Instructional Faculty at Georgia Tech

## 18.1 Preamble

This document sets forth guidelines for promotion of instructional faculty and additional criteria to be used in granting of tenure. It is to be emphasized that this document lists criteria intended only as guidelines and not as a prescription for promotion. The possible factors to be used for evaluation are listed to aid the faculty in their career development, and to be used with, but not substituted for, enlightened judgment on the part of responsible administrators and faculty in providing for the long-term development of Georgia Tech. See "Criteria for the Evaluation of Faculty Members as Teachers and Educators," Section 18.4.

Promotion and tenure decisions are made separately, and guidelines for evaluation relative to each of these decisions are required. The philosophy underlying the two decisions differs, although the criteria used as a basis for each decision are similar. The performance of a faculty member may justify promotion but not the awarding of tenure. The converse can occur, although it is not likely. Promotion is based on the intrinsic merit of the individual's work. It recognizes the faculty member for meeting the criteria of the next higher level in the professional hierarchy. The decision is based on an evaluation of the individual's scholarly activity including instruction, creativity, and service. The decision to promote or not to promote should not be tied in any way to questions of tenure. Tenure, on the other hand, relates to the individual's value to the Institute. The decision is based on an assessment of the compatibility of the individual's performance and interest with the needs and objectives of the Institute, the college and the individual instructional unit. To be considered for tenure, a faculty member's performance must be judged to be at or above the level appropriate to his or her professional rank. Assuming an appropriate performance level,

the individual's professorial activity is evaluated relative to its compatibility with stated objectives.

Each instructional unit should have a set of clearly defined and prioritized objectives defined in accordance with the mission of that unit. The more clearly and specifically the objectives are articulated, the more precisely can an individual's capability and interest be compared to those objectives. The objectives are not static, however; they must be influenced or modified by factors such as changing enrollment patterns, and changes in the unit's and Georgia Tech's mission within the University System of Georgia. Modifications in objectives typically occur gradually, not instantaneously, thus permitting faculty awareness of the changes.

These guidelines for promotion and for the granting of tenure of instructional faculty at Georgia Tech are in full accord with the policies and procedures of the Board of Regents of the University System of Georgia. The Georgia Tech criteria are more demanding than those established by the Regents.

These guidelines are intended to aid the instructional faculty in the conduct of their affairs in order to satisfy the requirements for promotion and/or tenure. They are not, however, a substitute for the advice and counsel of the administrative head of each instructional unit. All faculty members should receive at a minimum an annual administrative review of their progress.

## 18.2 Guidelines for Promotion of Instructional Faculty at Georgia Tech

### 18.2.1 From Instructor to Assistant Professor

1. A doctorate in an appropriate discipline or experience which is of value comparable to the doctorate in preparing the candidate for the role of an educator;
2. Clear evidence of effective teaching;* and
3. Clear evidence of creativity.**

**See "Criteria for the Evaluation of Faculty Members as Teachers and Educators," Section 18.4.*

***See "Criteria for the Evaluation of Creative Contributions," Section 18.5.*

### 18.2.2 From Assistant to Associate Professor

1. Sufficient time in grade. Generally, five or more years in grade are expected. Three years in grade, at least two of them at Georgia Tech, or two years of relevant professional experience plus two years as an Assistant Professor at Georgia Tech are a minimum requirement. Credit for previous academic or professional experience should be explicitly stated at the time of employment;
2. A doctorate in an appropriate discipline or experience which is of value comparable to the doctorate in preparing the candidate for the role of an educator;
3. Clear evidence of effective teaching;*
4. Clear evidence of creativity while at Georgia Tech;** and
5. Clear evidence of contributions to Georgia Tech in meaningful ways by service to the Institute, to the public, or to appropriate professional organizations.***

A candidate for promotion to Associate Professor should satisfy the first four of these qualifications. Marginal qualifications in any of these areas might be compensated by strength in the fifth.

**See "Criteria for the Evaluation of Faculty Members as Teachers and Educators," Section 18.4.*

***See "Criteria for the Evaluation of Creative Contributions,"Section 18.5.*

****See "Criteria for the Evaluation of Service Activities," Section 18.6.*

### 18.2.3 From Associate Professor to Professor

1. Sufficient time in grade. Generally, six or more years in rank are expected. Three years at the Associate Professor rank, at least two of them at Georgia Tech, or two years of relevant professional experience plus two years as an Associate Professor at Georgia Tech are considered a minimum requirement before promotion. Credit for previous academic or professional experience should be explicitly stated at the time of employment;
2. A doctorate in an appropriate discipline or experience which is of value comparable to the doctorate in preparing the candidate for the role of an educator;
3. Significant contributions as an educator;*
4. Clear evidence of significant creativity;**
5. Evidence that the candidate is making substantial contributions to Georgia Tech by service to the Institute, to the public, or to the profession;*** and
6. Broad recognition in terms of visiting professorships, invitations to give papers or seminars, memberships on national committees, offices in professional societies, or other appropriate honors.

A candidate for promotion to professor should satisfy clearly the first four of these qualifications and should have some demonstrable accomplishments in the last two.

**See "Criteria for the Evaluation of Faculty Members as Teachers and Educators," Section 18.4.*

***See "Criteria for the Evaluation of Creative Contributions," Section 18.5.*

****See "Criteria for the Evaluation of Service Activities," Section 18.6.*

## 18.3 Guidelines for Tenure at Georgia Tech

Only Assistant Professors, Associate Professors and Professors who normally are employed full-time (as defined by Regents' policies) are eligible for tenure. The term "full-time" is used in these tenure regulations to denote service on a 100% work load basis for at least two out of three consecutive academic terms. Tenure may be awarded upon recommendation by the President and approval of the Board of Regents upon completion of a probationary period of at least five years of full-time service at the rank of Assistant Professor or higher.

(See Section 17 *et seq*. for *Regents' Policies*.)

In contrast to promotion which is based on an individual's merit, tenure represents the Institution's selection of a faculty for a long-term commitment. Individuals are selected whose performance is outstanding and whose capabilities and interests, as manifested in performance, most closely support the objectives of the Institute, the college and the instructional unit.

For a faculty member to be considered for tenure, the individual's performance must be judged to be at or above the level appropriate to his or her professorial rank. That judgment should be based on the criteria set forth in the "Guidelines for Promotion at Georgia Tech." All dimensions of the performance must be considered, that is teaching, creativity, and service. In appraising a candidate's qualifications for tenure, the weightings of the three categories set forth above may vary with the individual case. It is recognized that the Institute has varied responsibilities and these responsibilities may best be met by a faculty whose members have a varied mix of strengths. Given an appropriate level of performance, the primary criterion for tenure is the compatibility of the individual's performance and interests with the objectives of the unit, the college and the Institute. Statements and supporting documentation from the applicant, the school director/department head and the dean should address this question.

*See *Faculty Handbook*, Section 14, for Faculty Status and Grievance Committee policies and procedures related to promotion and tenure.

## 18.4 Criteria for the Evaluation of Faculty Members as Teachers and Educators

**See Faculty Handbook, Section 14, for Faculty Status and Grievance Committee policies and procedures related to performance evaluation and salary determination.*

***Teacher***. Criteria for effective teaching are notoriously difficult to define. One would assume, however, that as a minimum an effective teacher should continue to become more proficient in the subject matter and more efficient in achieving the objective of the courses being taught. An effective teacher should be able, especially, to motivate students to do their best and to respond favorably to the teacher's enthusiasm for the subject.

***Educator***. The concept of educator implies a broad perspective toward higher education that encompasses more than effective teaching. It involves such things as leadership in developing new educational programs, including postgraduate educational programs, attracting graduate students, developing new laboratory experiments, etc.

Listed below (with no attempt to suggest any rank order) are some types of evidence to support performance of a faculty member as teacher and educator.

### 18.4.1 Course and Curriculum Development

- Development of new courses and laboratory experiences, or new approaches to teaching.
- Extensive work in curriculum revision or teaching methods for the school or department.

### 18.4.2 Teaching Skills and Methods

- Relative performances of students in the applicant's sections of multi-section courses.
- Participation in programs, conferences, or workshops designed to improve teaching skills.
- Awards or other forms of recognition for outstanding teaching.
- *Systematic* student evaluations, such as exit interviews or other standardized questionnaires. Information such as percentage of students providing data and a copy of evaluation instructions must be provided. (See "Student Opinion of Courses and Instructors", Section 18.8.)
- Demonstrated ability to teach basic courses effectively at the undergraduate and at the graduate level (when appropriate) where such courses are offered in the disciplines.
- Demonstrated ability to communicate effectively in the classroom environment.

### 18.4.3 Generation of Textbooks, Instruction Materials, and Publications on Teaching

- Publication of books or articles on teaching methods.
- Publication of new instructional techniques or descriptions of laboratory materials (if not listed under "Creative Activities").
- Publication of textbooks (if not listed under "Creative Activities").
- Effective utilization of audio-visual aids and multi-media where appropriate.
- Expository articles of broad interest exemplifying command of subject, breadth of perspective, etc.

### 18.4.4 Education Activities

- Supervision of independent study courses, honors theses, graduate theses and dissertations, field trips, internships, and practice.
- Supervision of students who are working in instructional activities, such as lectures, laboratories, recitations, self-paced instruction or tutoring.
- Specialized teaching for honors students or for other types of special programs.

## 18.5 Criteria for the Evaluation of Creative Contributions

While difficult to define precisely, creativity is characterized by the making of original and innovative contributions. The nature of the creative work must be appropriate to the individual's discipline. Moreover, it must be shown that significant creative activity has been performed while at Georgia Tech. To provide objective evaluation of creative activities, external peer review normally is required. The review should be based only on the individual's work and should not include opinions regarding promotion or tenure. A brief description of the reviewer, including positions and title, should be included. In general, the quality of such activities is of more importance than the sheer quantity. In cases where the creative work is a joint effort with others, there must be clear evidence that the individual under consideration has taken a leading role in conducting the work.

The creative work may be in a variety of forms. The nature of the material offered and the relative weight assigned to the various types of activity will vary among disciplines. Some examples of creative activities that may be appropriate at this institution are as follows:

### 18.5.1 Publications

- Research papers in scholarly journals; Literary publications; and Books.

### 18.5.2 Unpublished Writings and Creative Work of Limited Circulation

- Technical Reports; Engineering and architectural designs; Grant applications;
- Inventions leading to patents; and Presentations at conferences and meetings.

### 18.5.3 Creative Educational Contributions

- Innovative teaching methods; Research in instructional techniques; and Textbooks.

### 18.5.4 Artistic Creations

- Paintings; Sculpture; and Music.

### 18.5.5 External Recognition of Creative Work

- Prizes and awards; Invited presentations; and Consultancies.
- For promotion to the rank of Associate Professor there should be clear evidence that the person has demonstrated an ability to make original and innovative contributions to a chosen field.
- For promotion to Professor there should be clear evidence that the person has demonstrated consistent performance in the making of original and innovative contributions that are nationally recognized for their excellence. At all levels, the candidates' creative accomplishments throughout their entire careers should be considered and special attention given to those that occurred at Georgia Tech.

## 18.6 Criteria for the Evaluation of Service Activities

While faculty members usually contribute to the Institute primarily through teaching and creative activities, they also may contribute significantly to the development of Georgia Tech through rendering appropriate types of service to the Institute, to the public, and to the professional organizations to which they belong.

### 18.6.1 Professional Education

There is a rapidly escalating need for postgraduate professional education opportunities for persons to deepen, broaden, and raise the level of their knowledge and understanding both in their professional field and in general. For this reason, faculty participation in professional education activities constitutes a service to the public, to

professional fields which seek to serve that public, and to the Institute.

### 18.6.2 Service to Students

Service to students includes such activities as: Advising; Career counseling;

Presentation of lectures on special topics; Participation in panel or group Discussions; Directing field trips; Serving as faculty moderator of a student activity; and Engaging in appropriate extra- academic activities with students.

Documentation should include a statement from the school director or department head relative to the academic load of the faculty member, participation in pre-registration and registration duties, as well as comments on the quality of those activities stated above.

### 18.6.3 Service to the Academic Community

Presenting lectures; Participating in seminars; Developing research proposals with other faculty members; Serving on committees, study groups and task forces; and Lending one's professional expertise to other faculty members for their benefit. The quality of the member's participation in such activities should be documented.

### 18.6.4 Service to the Institute

Significant service to the offices of the Institute, such as Institute Relations and Development, the Alumni Association, the Athletic Board, the YMCA, Executive Round Table, Faculty Club, Education Extension teaching, special student services, recruitment and similar activities; and Serving on various Institute committees. Documentation of these activities should include statements regarding the frequency of meetings, records of attendance, offices held, contributions to special reports, and so on.

### 18.6.5 Availability for Service Activities

Maintaining regular office hours; and expressing willingness to serve whenever opportunities are available. Documentation should include a statement from the school director or department head.

### 18.6.6 Service to the Profession

Membership in professional organizations; Attendance at professional meetings and conferences; Organizing professional meetings; Serving as a discussant of papers read by others at professional meetings or being a panel member at such meetings; Holding office in professional organizations; Contributing consultative, advisory, editorial service in a professional capacity; and Serving as site visitor for accreditation review. Documentation should include appropriate records, awards, or other forms of recognition.

### 18.6.7 Service to the Community

Community Service involves a wide range of activities directed toward local, state, or national groups. Examples of such service include: Lectures; Panel Discussions; Radio and television appearances; Membership on advisory boards or civic committees; Involvement in community, charitable organizations, or the government; Involvement in youth and citizen recreation programs; and

Advising students or judging the entries at science fairs. Appropriate documentation of these activities should be included. For persons being considered for promotion to Associate Professor, the rendering of service in any of these categories is appropriate. For persons being considered for promotion to the rank of Professor, participation in service activities is required, and some form of leadership activity is expected.

## 18.7 Guidelines for the Presentation of Materials for Evaluation

It is appropriate that each set of documents prepared by a department be preceded by letters of transmittal from the head of that department, and from the Committee referenced in Section 19.3.2, and the Peer Review Committee of that department. These will include comments of how a candidate meets the required qualifications for each separate point of the promotion guidelines (listed in Section 16.). These comments should be brief and highlight the more significant contributions in each area. The presentation should be written so that the merits of the case are fully apparent to persons who may not be familiar with the discipline of the individual under consideration. Comparison of the relative merits of multiple candidates from within the department are encouraged.

The letter of transmittal should be followed by a complete Biographical Sketch or Curriculum Vitae detailing the relevant career activities of the individual. This may be prepared by the candidate. Finally, the dossier may include further relevant documentation such as letters of evaluation, student evaluations, and (if unavoidable) copies of unpublished creative work.

Source: Ad Hoc Faculty Committee to Review the Reappointment, Promotion, and Tenure Processes. Date: 1989

## 18.8 Student Opinion of Courses and Instructors

To provide instructors with information about student opinions of their teaching and courses, the Institute has developed the Course/Instructor Opinion Survey (CIOS). It consists of ten core items relating various aspects of teaching effectiveness including preparation and presentation of the course, interaction with students, and assessment of student performance. In addition, each department may choose to add up to three optional questions, and each instructor may also choose to add up to three optional questions. Students respond using a five-point rating scale. Provision is also made for written comments from the students.

The surveys are now conducted on-line and the instructor may access the results for their courses also on-line.

Chairs and/or department heads receive the responses to the Institute-core items, and the optional questions by the respective departments; however, they receive neither the responses to any additional optional items the instructors may have elected to include, nor the written comments. Students have access to the responses to the core Institute questions if the response rate is over a threshold requirement.

The results of the CIOS serve as one component of an overall assessment system for documenting teaching proficiency. The survey, processed by the Center for the Enhancement of Teaching and Learning under the auspices of the Provost, is administered in each school or college on a systematic basis during fall and spring semester each year. In addition, the survey system is available during summer semester.

Source: Center for the Enhancement of Teaching and Learning Date: 11/2005

# 19. Procedures for Evaluation, Reappointment, Non-Reappointment, Tenure, and Promotion

Policies of the Board of Regents require that the President of each institution of the University System recommend to the Board of Regents, through the Chancellor, the initial appointment of faculty members and administrative employees of each institution, the salary of each, and all promotion and tenure awards. The general procedures that Georgia Tech describes below may be modified slightly at the individual unit level.

Ordinarily, all recommendations for appointment, renewal, promotion and tenure originate in the individual instructional unit and proceed through the channels described as follows. In the College of Engineering, the College of Sciences, and the Ivan Allen, Jr. College, some procedures may involve five levels and eight decision-making units; in the Colleges of Architecture and Computing, some procedures may involve four levels and six decision-making units.

## 19.1 General Evaluation Policies

The Regents policies (Section 803.07) require that each faculty member receive an annual, written review by their unit head. In addition, the faculty member will discuss this review with the unit head and will sign a statement to the effect that the faculty member has received the written review. The faculty member will have the opportunity to respond, in writing, to the evaluation and to receive a written response from the supervisor to the comments of the faculty member. Both the faculty member's comments and the response will then become part of the record. The Institute will ensure that the individuals responsible for conducting performance evaluations are appropriately trained to carry out such evaluations. The evaluation procedures may also utilize a written system of peer evaluations, with emphasis placed on the faculty member's professional development.

Evaluation criteria follow those used for promotion, tenure, and salary decisions as set out further in the following Sections 19, 20, 22, and 23. In each particular case, the criteria used will be ones appropriate to the individual's major responsibilities.

The requirement for regular evaluations extends to all teaching faculty whether or not they are tenured, non-tenured, part-time, temporary, or visiting. If a person is the instructor of record during the year, that individual will receive an evaluation by means regularly used to assess the teaching effectiveness of full-time faculty, as set out further in Sections 18.4 and 18.8. Each College will set out in written policies how the evaluations will be carried out for those teaching courses in their purview.

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Source: Statutes Committee. Date: 2/2004

## 19.2 Reappointments

### 19.2.1 Regents' Requirements for Notification

Regents policies specify that each faculty member undergo a reappointment process which satisfies the following criteria:

- During the first year of appointment each faculty member shall receive, at least three months prior to the start of the next academic year, an indication of the Institute's intention regarding offering the faculty member an appointment for the forthcoming year.
- Six months prior to the start of the academic year, individual faculty in their second year will be informed to the Institute's decision with respect to an appointment for the third year.
- In all succeeding years, a non-tenured faculty member shall receive notice of the Institute's intention regarding subsequent reappointments at least nine months in advance.

### 19.2.2 Georgia Tech Procedures on Reappointment

For the first three reappointment cycles, the unit head(s) shall review the credentials and work of the individual faculty member and make a recommendation regarding reappointment. If the recommendation is positive, the dean(s) (where not the unit head) shall review the recommendation and documentation. If the Dean's recommendation is positive, then the president shall review the recommendations and make a decision.

In the event that any of these decisions is not to reappoint, the appropriate unit committee, the College Committee (where appropriate) and the Provost's Advisory Committee shall be convened and a complete review by all committees shall be conducted and forwarded to the President.

It is expected that this process will be completed at the unit level in time to coincide with the annual review process and the recommendation of salary increases. Each unit will publish, no later than June 1, the schedule for the reappointment, promotion, and tenure process for the following academic year.

For joint appointments, this process shall be modified so that the committee established shall include individuals from units where the faculty member holds appointments as well as all unit heads involved.

In the spring of the third year, a complete review of the faculty member's credentials and intellectual contributions shall be conducted by the appropriate committee at the unit level (or in the case of a joint appointment, the appropriate joint committee), the unit head(s), the Dean's Committee and the Dean (in those units having organizational elements such as schools or departments), and then by the Provost's Committee. Each recommendation will specify one of four outcomes:

- 'Reappointment;'
- 'Reappointment with counseling,' which implies that academic performance, in most respects, is positive and appropriate, but that some 'mid-course corrections' are needed prior to the tenure decision;
- 'Reappointment with warning,' which implies that as the candidate moves toward the tenure decision, some substantial adjustments must be made in the academic performance if the outcome of that decision is to be positive; or
- 'Non-reappointment,' which means that the candidate should expect no contract to offered beyond the following academic year.

All these recommendations shall be forwarded to the President who shall make the decision and then inform the appropriate individuals. This review should coincide with the annual salary review at the unit level. A complete review may be conducted during the fifth year at the request of the candidate.

### *Critical Reviews*

If the Critical Review at the end of the third year (as described above) results in a positive reappointment decision, the fourth and fifth year review will be processed in the same way that the initial reappointment reviews are conducted. If the decision is 'reappoint with warning' then the fourth year review process will be the same as the third year review. Similarly, if the fourth year decision is 'reappoint with warning' then the fifth year review process will be the same as the third year review.

The committee appointed to review the faculty member's contribution will avail itself of the opportunity to review carefully the materials submitted by the individual and to comment in detail on the intellectual products of the candidate. Because this committee will be comprised of individuals who are knowledgeable in the field, the committee will have the responsibility of placing the candidate's contributions in context and to comment on the importance of the work. The unit head(s) should also obtain input from other faculty members in the unit regarding the candidate's contribution to teaching and service. This may include a unit-wide committee to ensure consistency across the unit among all candidates under review.

In the event that the Faculty member's service is interrupted by a leave of absence, then that particular year of absence or extension shall not be counted as contributing to the service periods stated in any of the above procedures. In any year of absence or extension, the Faculty member will be reviewed according to regular procedures, except that if a Critical Review would be called for as described above, that review shall be postponed until the next normal year of service.

#### 19.2.3 Feedback to Faculty Members

It is important for the faculty member to receive feedback regarding the assessments involved. The appropriate place for the individual faculty member to receive this feedback is from the unit head(s). The unit head shall receive a copy of the recommendations prepared by each committee and by all other administrators with direct responsibility for reviewing the candidate, including the Dean (for those units where the Dean does not serve as the unit head), the Provost, and the President. The unit head shall review each recommendation, including his/her own, with the candidate, and counsel the candidate appropriately.

## 19.3 Promotion and Tenure

### 19.3.1 External Peer Review

Letters of recommendations from appropriate individuals outside the Institute must be obtained for any decisions related to tenure or promotion. The individuals from whom letters are sought should be clear leaders in the field. Along with the letters, brief biographical sketches of these individuals should be included in the materials submitted for consideration as well as the letters received.

The list of individuals from whom letters are to be obtained should be developed jointly by the candidates for promotion and/or tenure and the unit head(s). The final decision regarding who shall be selected to provide recommendations from the list shall rest with the unit head(s) and the faculty committee. It is appropriate to use the same letter for two consecutive years of the process.

### 19.3.2 Internal Peer Review

In all succeeding years, a non-tenured faculty member shall receive notice of the Institute's intention regarding subsequent reappointments at least nine months in advance. Candidates shall have the opportunity to suggest to the unit head(s) the names of individuals who would be appropriate members of the review committee.

For joint appointments, input should be obtained from the faculty of both units. In the event that the individual units do not have appropriate expertise relating to the candidate's specific creative contributions, the committee may include individuals who are not members of the Georgia Tech faculty.

### 19.3.3 Expanded Peer Review

A unit-wide committee may be appropriate in large units with a number of sub-disciplines to provide some consistency across units and to comment on the teaching and service contributions of the candidate.

### 19.3.4 Candidate's Responsibility

The candidate has the responsibility to prepare and review the documentation that is submitted, except for evaluation letters. When this documentation is complete, and in the proper format, the candidate will sign a statement that it is both accurate and complete.

Should the candidate fail to meet the deadlines established by the unit for submission of the required documentation, consideration of promotion and/or tenure may be delayed until the following year. However, if such a delay would have the effect of violating the maximum time of employment for an untenured faculty member, the faculty member will receive a letter of non-reappointment.

### 19.3.5 Format

It is important that all candidates follow as closely as possible the same format in preparing the documentation for changing status, although some flexibility should be allowed. The candidates may choose to write a brief summary (not to exceed three pages) of their major accomplishments at Georgia Tech. The candidates also are required to submit evidence of three to five examples of their relevant, creative capabilities. These may include published papers, books, software, patents, art productions, or other relevant examples.

### 19.3.6 Joint Appointments

Joint appointments should involve budgetary activity in each unit. Normally, this would involve teaching and/or research activity. A budgetary commitment to the individual must be involved.

Each faculty member should have a home unit which has responsibility for the administrative activity for each individual who holds a joint appointment.

Promotion, tenure, and reappointment decisions should involve all affected units. A committee drawn from appropriate individuals of each unit shall be established to provide recommendations. In the event that individual units do not have appropriate expertise related to the candidate's specific creative contributions, a special committee shall be constituted and may include individuals who are not members of the Georgia Tech faculty. All unit heads involved jointly shall provide recommendations. These recommendations will then be passed along to the next level(s) as appropriate.

### 19.3.7 Joint Academic/GTRI/Center Appointments

Instances may arise where it is desirable for an academic faculty member to be jointly appointed in an academic unit and in a division of GTRI or a Center. Where such an appointment contributes to the development of the faculty member, such arrangements are to be encouraged. The benefit of such an arrangement normally will be enhancement of the faculty member's research productivity. Decisions of academic units will be based on their own criteria; however, letters of evaluation from appropriate GTRI division head and/or center directors must be included in the documentation of these candidates. Appropriate individuals from GTRI or the Center normally will be included in the unit level (committees appointed to make the initial recommendation).

Instances may arise where it is appropriate where GTRI or center-based researcher to have a joint appointment in an academic unit. Such arrangements are to be encouraged where they work to the advantage of all parties concerned. Heads of the academic units will be expected to supply letters of evaluation for all promotion/salary decisions. Tenure is not awarded to persons whose home unit is in GTRI or a Center.

### 19.3.8 The Provost and Vice President's Advisory Committee

The five college Deans, the Provost and Vice President for Academic Affairs, and senior members of the faculty representing the colleges, comprise the advisory committee. The Vice Provost for Academic Affairs and Dean of the Graduate School may participate in the discussions of the committee but do not vote. Similarly, the college Deans participate in the discussion but do not vote on the candidates from their colleges nor do representatives from a specific unit (such as Physics) vote on faculty members from that unit. Normally, the Vice Provost for Academic Affairs chairs the meetings. The Committee forwards all dossiers, along with its recommendations to the Provost and Vice President for Academic Affairs.

### 19.3.9 Provost and Vice President for Academic Affairs

The Provost and Vice President for Academic Affairs considers all information that has been compiled, transmits the complete dossier along with his/her recommendations to the President, and then notifies the college Deans of the recommendations involving faculty within their respective colleges.

### 19.3.10 President of the Institute

The President forwards his/her recommendations, along with appropriate documentation, to the Board of Regents and also notifies each faculty member by letter.

### 19.3.11 The Board of Regents

All changes in status, such as promotion and tenure are awarded by the Board of Regents. The President notifies each faculty of the Board's decisions.

Source: Ad Hoc Faculty Committee to Review the Reappointment, Promotion, and Tenure Process. Date: 1989

# 20. Policy on Salary Determination for Full-Time Instructional Faculty

See *Faculty Handbook*, Section 14, for Faculty Status and Grievance Committee policies and procedures related to performance evaluation and salary determination.

Consistent with the policy of the Board of Regents on nondiscrimination and in keeping with the Institute's commitment, no person will be discriminated against on the basis of race, color, gender, national origin, religious belief, age, or presence of a non-job-related handicap in any salary decision.

To sustain its leadership position in the national academic community and to meet its commitment to serve the technical education needs of the State of Georgia, Georgia Tech must recruit and retain a faculty of recognized excellence. Because of the complexity of the Institute, individual academic units may have unique missions within the overall Institute mission. The following statements, therefore, are intended to provide a framework within which individual units develop specific criteria appropriate for their discipline.

## 20.1 Entry level Salary

The salary level associated with each faculty position shall be based upon the requirements of the position and the qualifications of the individual employed to fill the position. The qualifications of the individual shall include academic degrees earned, teaching and other relevant experience, research and publication records, academic achievements and honors, and relevant professional achievements and recognition.

In addition to personal qualifications, consideration will be given to "marketplace" factors such as availability (supply and demand) of qualified individuals, salaries offered by competitors (industry and other academic institutions) for individuals, and the intensity of our need for these individuals.

Salary data collected on national, regional and local bases, as appropriate, will be used in establishing entry salary levels.

## 20.2 Merit Increases

Merit increases for full-time instructional faculty shall be based on an evaluation of job assignment and overall productivity. All dimensions of the professorial role shall be considered, although weights assigned may vary across disciplines and even within a discipline, depending on the job assignment of the individual and on the needs of the unit. In evaluating a faculty member's performance, careful consideration will be given to the quality of the individual's contributions in instruction (classroom-related and individual supervision), research or other creative activities, and service (to students, the academic community, the Institute, the discipline, and the external community).

## 20.3 Documentation

In determining entry level salary as well as merit increases, appropriate documentation in support of quality of performance is required. The following is illustrative:

**Instruction:** The quality of instructional performance should be evaluated by peers, students, department heads/school directors. Student evaluation should be ascertained on a systematic basis.

Contribution to curriculum development, such as the development of new courses or new laboratory experiences, should be evaluated by the school director/department head.

The number of independent study courses, theses, dissertations, etc., supervised. Quality should be evaluated by peers and the school director/department head.

**Creativity:** The number and brief description of research grants applied for and funded; publications in scholarly

journals; and presentations at conferences and workshops. The quality of these contributions should be evaluated by recognized leaders in the field.

Professional honors and awards as well as invited addresses speak to the quality of the contribution. Innovative instructional techniques can be evaluated by peers, students, and school directors/department heads.

**Service:** The quality of service to *students*, such as academic advising, directing field trips, etc., should be evaluated by students, peers, and school directors/department heads.

Service to the *academic community* might take the form of presenting lectures or seminars or serving on various types of committees. Appropriate documentation might be letters from those persons responsible for the activities.

Service to the *Institute* might involve such things as working on programs with Communications and Development or alumni organizations, or serving on various Institute committees. Appropriate documentation about quality of service might take the form of letters from the persons responsible for these activities or the chairs of the committees.

Contributions to the *profession or discipline* might take a number of forms: serving in leadership positions, participating in symposia or serving on panels, or editing professional journals. Appropriate letters regarding the quality of contributions would be expected.

Evaluation of quality of service to the *community* might be ascertained from letters from appropriate individuals. The service might take the form of presenting lectures, participating in panel discussions, appearing on appropriate radio and television programs, or judging science fairs.

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Source: Faculty Status and Grievance Committee. Date: 5/1995

# 21. Academic Rank for Administrators

## 21.1 Policy

An administrator may be awarded academic rank (tenure or non-tenure track) upon review of his/her credentials and recommendation of academic rank, in accordance with the established statutory procedures required for academic appointment.

## 21.2 Procedures

Administrators who normally may receive consideration for academic rank, either tenure or non- tenure track, are: President, Provost and Vice President for Academic Affairs, Vice Provost for Research, Associate or Assistant Vice President for Academic Affairs, Associate or Assistant Vice Provost for Research, Dean, Associate or Assistant Dean, Director or Department Head of an instructional unit, and Associate or Assistant Director of an instructional unit.

The academic and scholastic credentials of the administrator or administrator-candidate shall be prepared in the same form required of all academic faculty being considered for an academic appointment.

At the time the administrator or the administrator-candidate is being considered for academic rank, his/her academic and scholastic credentials shall be submitted to the school or department of association. The credentials shall be reviewed first by the established promotion and tenure peer review committee. The currently required procedures for review of academic faculty being considered for an academic appointment shall be followed at all levels of review.

When an administrator who currently holds academic rank is to be considered for promotion to a higher academic

rank, his/her academic and scholastic credentials shall be prepared in the same form required of all academic faculty. These credentials shall be submitted to the established school or department promotion and tenure peer review faculty committee. The currently required procedures for review of academic faculty being considered for academic promotion shall be followed at all levels of review.

When an administrator who currently holds academic rank, non-tenure track, leaves his/her administrative position and requests a tenure track appointment in an instructional unit, his/her academic and scholastic credentials shall be submitted to the school or department, which shall follow the currently required procedures for appointment.

Source: Faculty Status and Grievance Committee. Date: 8/1996

# 22. Hiring and Promotion Guidelines for Professional Research Personnel

## 22.1 General

Professional research personnel are members of the General Faculty; they are not, however, members of the Academic Senate, nor are they eligible for tenure. While research personnel are subject to many of the general hiring and promotion criteria for instructional faculty, there are significant differences.

*Note*: The term "Scientist" is used to indicate the appropriate designation--Engineer, Scientist, Technologist, or Associate.

## 22.2 Promotion to a Higher Rank

Following are NORMAL requirements for CONSIDERATION for promotion to a higher rank. These experience and performance criteria may also be used for determining the initial rank when hiring professional research personnel. Credit for previous academic or research professional experience should be explicitly stated in writing at the time of employment. In addition to these criteria, to be considered for promotion will normally require a number of years in rank, as follows:

Promotion To:

Research Scientist II - Three years as Research Scientist I

Senior Research Scientist - Four years as Research Scientist II

Principal Research Scientist - Five years as Senior Research Scientist

As used in this document, "years of experience," "years in rank," and "years at Georgia Tech" are to be as of July 1st of the year in which the promotion would take effect. The word "Scientist" is used throughout these guidelines to mean either Engineer, Scientist, Associate, or Technologist.

Requirements for professional registration and other legal or professional certification are not identified in these revised guidelines as prerequisites for promotion. Instead, these formal evidences of competency are expected to be provided by persons assigned to duties that require them. For example, engineers carrying out responsibilities as listed in the Official Code of Georgia Annotated (OCGA) Section 43-15-2(11) must possess a current certificate of registration as a Professional Engineer as issued by the State Board of Registration for Professional Engineers and Land Surveyors. All engineers are encouraged to obtain this registration. Other professional registration or certification is similarly encouraged, e.g., Certified Industrial Developer, Certified Safety Professional, etc.

## 22.3 Research Scientist I

This is the initial rank held by research personnel who have as a minimum educational credential a bachelor's degree and who will be performing on a professional level. An advanced degree in a relevant field is required for promotion above this initial rank.

## 22.4 Research Scientist II

This rank requires one of the following:

- Three years' relevant full-time experience after completion of a Master's degree
- A Master’s degree and five years relevant full-time experience after completion of a Bachelor’s degree; or
- A Doctor's degree.

Qualified candidates who are recommended by the normal administrative process will not be reviewed by a presidential committee. Professional recognition in one's research field will be expected.

In addition to the candidate's education and experience requirements, the promotion recommendation will reflect substantive evidence of the candidate's progress toward developing the capabilities for performing at the level expected of research professionals in the same field holding senior research staff ranks at Georgia Tech. Such evidence might consist of papers published or contributed to, significant managerial efforts on sponsored projects, products developed and delivered to the sponsor community such as software or hardware and documented impacts of these products, or equivalent teaching responsibilities performed in an instructional unit.

## 22.5 Senior Research Scientist

### 22.5.1 Basic Requirements

This rank requires one of the following:

- Seven years' relevant full-time experience after completion of a Master’s degree;
- A Master’s degree and nine years relevant full-time experience after completion of a Bachelor’s degree; or
- A Doctor's degree and four years' relevant full-time experience.

The rank of Senior Research Scientist is reserved for those professionals who have demonstrated a level of scholarly achievement and technical, managerial and entrepreneurial productivity commensurate with the highest standards of Georgia Tech. For this rank, demonstrated achievements should include recognized contributions to their specific technical disciplines, supervision of other research professionals through review and approval of proposals, technical reports and other communications, and representation of Georgia Tech to external organizations for the purpose of obtaining, managing, and performing high quality sponsored research programs. Preference will be shown for those qualified personnel holding a Doctoral degree in their specified discipline.

### 22.5.2 Performance Requirements

In addition to the requirements in item Section 22.5.1, demonstrated superior performance of professional duties is required in 1 below and at least two of the other four areas.

1. Peer recognition of mastery of a complex and difficult field of specialization as demonstrated through authorship of refereed papers and/or products developed and delivered to the sponsor community such as software or hardware, and documented impacts of these products. The latter may come in the form of sponsor satisfaction testimonials.  Note: While emphasis will be given to authorship of journal and symposium papers which have been refereed, recognition will also be given to contributions to other journals, organizational publications, widely distributed reports which effect an education and technology information transfer.

2. Supervision of others' work by virtue of being a program manager, project director/principal investigator, co-project director/principal investigator, or task leader on sponsored research of such magnitude as to require guidance and supervision of other professionals

3. Important technical contributions and innovation as documented in formal reports of several projects over a minimum time of four years prior to recommendation for promotion. For candidates holding the Doctoral degree, the last two years of employment prior to employment at Georgia Tech will be considered if adequately documented, and the four-year time in grade requirement be reduced to two years for candidates so qualified.

4. Substantial documented contributions in sponsored program development.

5. Superior ability in representing the School/Center Laboratory/Georgia Tech in service to and dealings with outside organizations.

## 22.6 Principal Research Scientist

### 22.6.1 Basic Requirements

This rank requires a minimum of a Master's degree and eleven years' relevant full-time experience, or a Doctor's degree and seven years' relevant full-time experience. At least the most recent three years of such experience shall have been at a responsible technical or managerial level. Preference will be shown for qualified personnel holding a Doctor's degree in their specific discipline.

### 22.6.2 Performance Requirements

In addition to the requirements in Section 22.6.1, the candidate must have made *substantial and sustained documented technical contributions* in 1 and have demonstrated outstanding capabilities in at least two of 2 through 4 of research or service activity:

1. Clear Evidence that the candidate has demonstrated consistent performance in the making of original and innovative contributions that are nationally recognized for their excellence as documented by external peer review of the candidate's work (see Section 22.6.3 below);

2. Leadership in developing and managing a technical thrust involving related projects. Special consideration to be given to programs involving a broad participation by research and instructional faculty and students;

3. Substantial contributions to Georgia Tech by service to the Institute, the State, to the Nation, or to the candidate's profession;

4. Broad recognition of technical stature as evidenced by invited papers or seminars, session chairperson at national symposia, memberships on national committees, offices in professional societies, or other appropriate honors.

### 22.6.3 Letters of Evaluation

At least three letters of evaluation must be obtained *by the Institute* from highly qualified persons in the candidate's professional field who are not employed by the Georgia Institute of Technology.

## 22.7 Research Associate Ranks

There are ranks held by research personnel who meet all normal requirements, but for whom the title of Engineer, Scientist, or Technologist is not appropriate. They are intended for professional staff for whom a specific need

exists, but because of the different nature of their education or experience, should not be classified (at least initially) in the Research Engineer/Scientist/Technologist structures. In determining when it will be suitable to use the Research Associate title structure, reliance will be placed on comparison with the established criteria for Research Engineer/Scientist/Technologist. That is, the qualifications for Research Associate should have an equivalency to Research Engineer/Scientist/Technologist, but will differ in some particular aspect. In general, it will offer more flexibility in considering the candidate's total qualifications and suitability for employment at Georgia Tech. The title is intended to be broad enough in scope to include any professional categories appropriate to our needs. Examples include medical doctors, humanists, architects, and management experts.

### 22.8 Research Technologist Ranks

These ranks are less well established but are of increasing importance to the conduct of research. On an individual basis exceptions to some of the normal standards for scientists and engineers will be considered.

Source: Statutes Committee. Date: 10/2008

## 23. Periodic Review Policy

### 23.1 Definitions

*Academic Unit:*

- Unitary Colleges: Management and Computing
- Schools in Colleges of Engineering, Sciences and Ivan Alan.
- Programs in the College of Architecture.

*Unit Head:*

- Unitary Colleges: The Dean.
- Schools: The School Chair.
- Programs: The Program Chair.

### 23.2 Purpose

Periodic Peer Reviews (PPR) are aimed at facilitating faculty development, and ensuring intellectual vitality and competent levels of performance by all faculty throughout their professional careers. In both regards, the goal is to maximize the talents of tenured faculty within the broad array needed for effective performance of the units and the Institute.

Periodic Peer Reviews are both retrospective and prospective, inasmuch as they recognize past contributions and provide the means for continuous intellectual and professional growth. It is recognized that, within the traditional mix of professional activities, different emphases may be appropriate at different stages in a faculty member's career. As a faculty development tool, the review provides an opportunity to assist a tenured faculty member in formulating a multi-year plan of professional growth and activity in teaching, research, and service based on his or her interests and the needs and mission of the unit and the Institute. To assure professional competence, the review provides an opportunity to assess the tenured faculty member's effectiveness in teaching, research, and service over a multi-year period. Assessment of professional activities over a relatively long time span encourages faculty members to undertake projects and initiatives that do not readily lend themselves to annual evaluation.

The Georgia Institute of Technology recognizes that the granting of tenure for university faculty is an important protection of free inquiry and open intellectual debate. This Periodic Peer Review policy defines a system of periodic peer evaluation of all tenured faculty which is intended to enhance and protect the guarantees of tenure

and academic freedom. It is recognized that Periodic Peer Reviews are most appropriately conducted by a committee of faculty peers.

## 23.3 Procedure

### 23.3.1 Evaluation Criteria

The default criteria for Periodic Peer Reviews are those used by the individual's unit for promotion and tenure. Alternative criteria, however, may be applied to reflect the varying emphases and roles that senior faculty may play within a research university. Responsibility for formulating individualized alternative criteria for the Periodic Peer Review lies with the unit head, based on consultation with the faculty member.

Any understanding regarding individualized alternative criteria for evaluation must be reached and confirmed in writing prior to the submission of documentation. Such an agreement would be necessary, for example, for faculty being evaluated almost exclusively for teaching, research or service contributions.

In cases where no such agreement regarding criteria can be reached between the faculty member and unit head, the faculty member may request a hearing from a committee of the unit. It is the responsibility of the faculty of the unit to specify the composition of such a committee. For example, the unit may choose its promotion and tenure committee, steering or advisory committee, or an ad hoc committee. The decisions of this committee are final.

### 23.3.2 Documentation

In accordance with Board of Regents' guidelines, the following documentation will be included in the Periodic Peer Review of each faculty member:

- A copy of any approved individualized evaluation criteria,
- A current vita,
- A statement of up to five pages detailing accomplishments and goals provided by the faculty member. In the case of individuals undergoing a second or subsequent periodic peer review this will include specific information on how goals from the previous review have been met.
- Reviews of the faculty member's teaching effectiveness, such as student evaluations, peer evaluations, etc.
- Summaries of the annual performance reviews, including any associated faculty rebuttals, for the years under consideration, as prepared by the unit head and reviewed by the faculty member.

With this material in hand, the school chair/unit head will write a letter to the unit PPR committee including the summary and assessment of the reviewee’s performance on criteria (remembering not to offer a 3 or 5 year recommendation) and a detailed assessment of the reviewee’s goals and plans for the next five years. Preference is for a summary supported by annual evaluations and rebuttals (if any). If a summary only is provided then the reviewee should be given the opportunity to comment on the summary. Items of a personal nature that may have been included in the annual reviews have no bearing on the PPR and should be deleted.

### 23.3.3 Possible Review Outcomes

Review outcomes will include a decision that the next review occur after either 5 years or 3 years. Reviewees identified by the review committee as having major and chronic deficiencies will be recommended for a three-year review. In the case of a 3 year decision the unit-level PPR committee (see Section 23.3.4) must clearly elucidate the basis for the decision**,** and provide detailed guidance on the improvements required for positive future reviews. In the case of a 5 year decision the unit-level committee must evaluate the reviewee’s prospective plan of action. In ALL cases the focus of the unit-level committee’s report will be on faculty development.

### 23.3.4 Review Committees

## *Unit-Level Periodic Peer Review Committee*

The unit-level review is to be conducted by a committee of tenured, non-administrative, academic faculty of the unit in which the faculty member has a primary appointment. The faculty in each unit shall decide whether tenured faculty with administrative titles (other than unit heads) are eligible to serve on the unit-level Periodic Peer Review committee. This decision is to be reviewed by the faculty at least once every five years.

The Periodic Peer Review committee should consist of at least three members. It is the responsibility of the unit faculty to specify the composition of the review committee(s). For example, the faculty in a unit may choose its promotion and tenure committee, steering or advisory committee, convene an elected PPR committee, etc. The unit may have a single committee for all reviewees in a given year, or several committees may be used. However this (these) committee(s) must be approved by a vote of the unit's faculty.

For faculty with joint appointments involving a budgetary commitment from more than one unit, committee members representing the secondary unit(s) will be included. The primary unit will have a majority of committee members.

Faculty members to be reviewed can provide input regarding the composition of their unit-level review committee. The reviewee may select a member of the committee to serve as “advocate” or choose to add another tenured faculty member to serve on the committee in that role, with voice and vote. The reviewee may also exercise the option of “removing” one person from the unit-level Periodic Peer Review committee.

## *Unit Level Reviews*

The unit-level Periodic Peer Review committee shall examine the documentation described in Section 23.3.2 above. The committee will prepare a letter addressed to the reviewee assessing the reviewee's performance based on the evaluation criteria described above, including any approved individualized criteria. The committee's letter shall include a narrative text containing commendation for positive performance, a critique of substandard performance, recommendations for corrective actions, if any, an overall evaluation score (5 or 3 year), and a record of the committee's vote. In the case of Associate Professors, the report will include guidance on activities which would enhance prospects for a successful promotion review**.** Regardless of whether the decision is for 5 or 3 year cycle, the committee’s report will include specific comments on faculty development and the resources appropriate for the execution of the individual faculty development plan. The vote total for and against the decision is to be recorded and the letter is to be signed by all members of the Periodic Peer Review Committee.

## *Unit Level Communication of Outcome*

The letter of the unit-level review committee, along with all supporting documentation including the unit-chair's assessment of reviewee's goals (see Section 23.3.2 above), shall be transmitted to the dean of the college and a copy provided to the unit chair and the Vice Provost for Academic Affairs. The dean (Vice Provost for unitary colleges) will transmit the unit-level letter together with all the supporting documentation to the reviewee. The reviewee may appeal the recommendation (see Section 23.4.3). The Vice Provost will maintain files of all reviews for future analysis as outlined below under Institute Oversight.

### *Dean's Review*

In order to close the loop on the faculty development aspect of Periodic Peer Review and to improve the quality and consistency of processes across units, the deans of those colleges where the reviews are conducted within schools or programs (Engineering, Sciences, Ivan Allen, and Architecture) will examine the completed files of all cases from their colleges every year. The dean will (i) prepare a written assessment of the process and criteria used by each unit, (ii) communicate with each faculty member who has been reviewed and with his/her school or program chair about the individual's proposed plan of development for the next cycle. In all cases, however, the dean cannot change the review decisions (5 or 3) made by the unit-level committees.

The deans of the two unitary colleges who themselves participate in each review (Management and Computing) will examine the files from each other's college and conduct a review that resembles as nearly as possible the one described above for the other colleges.

Faculty receiving 3-year reviews are required to meet with their unit head and dean regarding development plans (see Section 23.3.5 below). The unit head and dean shall arrange such a meeting in a timely fashion.

### *Institute Oversight*

An Institute-level Periodic Peer Review Committee (IPPRC) shall be convened every year in January. The committee shall consist of thirteen (13) members selected as follows: (i) Deans of the six (6) colleges, and (ii) seven (7), tenured, non-administrative, academic faculty members to be named by the Institute's Executive Board. Two members shall be from the College of Engineering and one member shall be from each of the other five Colleges. The Provost shall serve as an ex officio member of the IPPRC. The committee shall elect a Chair from the seven faculty members named by the Executive Board.

### *Institute Level Reviews*

The IPPRC will review the workings of the policy based on the college-level assessment of the six deans and on other information it may wish to gather. Based on such reviews, the committee will (i) make recommendations for changes where circumstances warrant immediate remedy, (ii) monitor and make recommendations on faculty development initiatives that flow from cases reviewed in the past year, and (iii) review cases involving contention between any of the parties involved in the PPR process; for each such case, a written analysis shall be prepared and, if warranted, recommend changes to the process. In all cases, however, the IPPRC cannot change the review decisions (5 or 3) made by the unit-level committees.

Once every five years, the IPPRC shall conduct an extensive review starting in 2006-2007 and every five years thereafter. This review will include (but is not limited to) the review all recommendations made by the unit-level committees and gather such additional information from faculty members (including school chairs and deans) as it deems necessary to evaluate the workings of the periodic peer review process. Based on such reviews, the committee shall perform the following functions: (i) prepare a written assessment of the process and criteria used by each unit and in the Institute as a whole; the aim of such assessments is to improve quality and ensure consistency across the various units and colleges in future years and make such recommendations for changes in the policy as it deems warranted based this assessment, (ii) monitor and make recommendations on faculty development initiatives that flow from cases reviewed in the past five years, and (iii) review cases involving contention between any of the parties involved in the PPR process and recommend changes to improve the outcome of the process. In all cases, however, the IPPRC cannot change the review decisions (5 or 3) made by the unit-level committees.

#### 23.3.5 Follow-up Reviews

If a faculty member is judged to have had major and chronic deficiencies (3 year review decision) and has not made significant progress towards remedying the deficiencies identified in previous reviews, the dean may refer the case to the Faculty Status and Grievance Committee under Sections 5.6.3, 10.7.5, and 14 of the statutes and policies of the Georgia Institute of Technology.

### 23.4 Process Closure

#### 23.4.1 Communication of Outcome

Upon conclusion of the review process, the President shall send a letter to the reviewee indicating the outcome of the review (i.e., whether the next review is to be in three or five years), with copy sent to the respective unit head.

#### 23.4.2 Development Plans

Regardless of whether the review process has identified substandard performance resulting in another review in three years, the faculty member, unit head, and dean will work together to develop a formal plan for faculty development. This plan must include clearly-defined and specific goals or outcomes, an outline of activities to be undertaken, a timetable, and an agreed-upon monitoring strategy. Resources may be allocated to assist in faculty development.

#### 23.4.3 Appeals and Grievances

On receipt of the review from the Dean / Vice Provost, a reviewee may appeal to the President to overturn a unit-level recommendation. Grievances related to the Periodic Peer Review process shall be handled by the Faculty Status and Grievance Committee under Sections 5.6.3, 10.7.5, and 14 of the statutes and policies of the Georgia Institute of Technology.

## 24. Process for 5-Year Comprehensive Review and Evaluation of Deans of Academic Units

### 24.1 Purpose of the Review

The performance of each Dean of an Academic Unit at Georgia Tech will be reviewed annually by the Provost. In addition, a comprehensive formal review must be completed around the end of every fifth year of appointment. The purpose of such comprehensive reviews is to evaluate the progress of the units under the Dean's leadership, to provide the opportunity for constructive input from faculty and other constituencies, and to review the professional contributions and performance of the Dean as a "leader" and an "administrator." This document describes the process by which such "five-year" reviews are to be conducted.

Ultimately, the purpose of such comprehensive reviews is to determine whether the Dean should be re-appointed for another term. A second five year appointment has been typical whereas a third five year appointment is unusual. Nevertheless the reappointment decision will be based on the best interests of the Institute, unit, and individual.

### 24.2 Definition of "Deans" for the Purpose of this Review

This review process is to cover the Deans of the Colleges of Architecture, Computing, Engineering, and Sciences, the Dean of the Ivan Allen College of Liberal Arts, the Dean of the College of Management, the Director of GTRI, and the Dean of Libraries.

## 24.3 Structure of the Review Process

The five-year review process is to be initiated by the appointment of a Review Committee by the Provost in consultation with the Chair of the Executive Board. The individual being reviewed will have opportunity to comment on the composition of the committee**.** The review committee will consist of no fewer than five members, and will normally be chaired by a senior faculty member from a different College/unit. The chair of the review committee will be chosen by the Provost, in consultation with the chair of the Executive Board. A majority of the review committee members will be chosen from among tenured, non-administrative, faculty in the academic units supervised by the Dean.

Early in the review process, the Dean should be asked to meet with the review committee and afforded the opportunity to provide a self-assessment. The committee should also seek appropriate input from the unit's school/program chairs (if any), faculty, staff, students, and other constituencies. The committee should seek to identify areas where the Dean should place added emphasis/attention if he/she were to continue to lead the unit over the next five years.

Upon conclusion of the review, the committee will provide the Provost with a confidential written report of no more than five pages in length. The report should provide an assessment of the unit's progress under the Dean's leadership, an evaluation of the Dean's performance as a "leader" and an "administrator," and recommendations for improvement, if any. The Dean being reviewed will have opportunity to comment on the report**.** As the key component of the decision-making process, the Provost will evaluate the committee's report, make a decision regarding re-appointment of the dean, and communicate the results of the review, including any recommendations therein, both orally and in writing to the person under review. The Provost will also inform the Review Committee of the re-appointment decision.

## 24.4 Person-Specific Evaluation Criteria

Prior to the initial appointment and/or re-appointment of a Dean, the Provost and the candidate will define the criteria, along with any operationally meaningful measures, by which the Dean's performance is to be judged. As part of the Provost's annual review of the Dean, such performance criteria will be reaffirmed or modified in consultation with the dean. As a part of the charge to each specific dean's five-year review committee, the Provost will review the original evaluation criteria established at the beginning of the Dean's current term, as well as any annual changes made since that time.

## 24.5 General Performance Criteria to be used in Reviews

While person/unit-specific evaluation measures will be established as described above, the following "general criteria" should aid in the establishment of such measures:

a. Demonstrating evidence of commitment to the highest standards of quality in teaching, scholarship/research, and academic development, with evidence given of the college's actual progress on all three under his/her leadership.
b. Providing effective management of the internal affairs of the college.
c. Recruitment and retention of the highest quality administrators, faculty, staff and students.
d. Managing the college's fiscal affairs.
e. Developing and maintaining open communications with all constituencies.
f. Facilitating goal setting by individuals, programs, schools, and by the unit as a whole.
g. Identifying issues and resolving conflicts affecting the unit.
h. Developing internal and external resources.
i. Implementing fair and equitable performance evaluations and salary adjustments.
j. Establishing a working environment conducive to achieving individual and unit goals, as well as balancing and reconciling diverse interests within the unit.
k. Building relations with constituencies within and outside Georgia Tech.

### 24.6 Modifications to Review Timing

While the purpose of this procedure is to regularize the formal five-year review process of Deans, it is recognized that circumstances may dictate that a modified period is more efficient and/or appropriate. At the Provost's discretion, the formal review of a Dean may be performed at any time between four and six years after either the initial appointment or the preceding formal review. For colleges without schools, which are subject to the Board of Regents' five year program review, the review of the dean could be timed to coincide with the BOR review.

### 24.7 Confidentiality

It is essential that the utmost confidentiality be maintained during the review process. The Provost will provide the committee with confidentiality guidelines at their first meeting.

### 24.8 Extraordinary Circumstances

It is recognized that all administrators, including Deans, serve at the will of their immediate supervisors and higher administrators. Nothing in this review process is meant to limit the ability and responsibility of higher administrators to make changes in leadership positions whenever it is deemed necessary or desirable.

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Approved by the Executive Board on June 18 2002.

## 25. Process for 5-Year Comprehensive Review and Evaluation of School Chairs at Georgia Tech

### 25.1 Purpose of the Review

The performance of each academic unit chair at Georgia Tech will be reviewed annually by the responsible Dean. In addition, a comprehensive formal review must be completed around the end of every fifth year of appointment. The purpose of such comprehensive reviews is to evaluate the progress of the school under the chair's leadership, to provide the opportunity for constructive input from faculty and other constituencies, and to review the professional contributions and performance of the chair as a "leader" and an "administrator." This document describes the process by which such "five-year" reviews are to be conducted.

Ultimately, the purpose of such comprehensive reviews is to determine whether the chair should be re-appointed for another term. A second five year appointment has been typical whereas a third five year appointment is unusual. Nevertheless the reappointment decision will be based on the best interests of the Institute, college, school, and individual.

### 25.2 Structure of Review Process

The five-year review process is to be initiated by the appointment of a Review Committee by the responsible Dean in consultation with the Chair of the unit's statutory Faculty Advisory Committee. The individual being reviewed will have opportunity to comment on the composition of the committee. The review committee will consist of no fewer than five members, and will normally be chaired by a senior faculty member from a different academic unit in the college. The chair of the review committee will be chosen by the Dean, in consultation with the chair of the unit's Faculty Advisory Committee. A majority of the review committee members will be chosen from among tenured, non-administrative, faculty in the academic unit.

Early in the review process, the chair should be asked to meet with the review committee and afforded the opportunity to provide a self-assessment. The committee should also seek appropriate input from the unit's faculty, staff, students, and other constituencies. The committee should seek to identify areas where the chair should place added emphasis/attention if he/she were to continue to lead the unit over the next five years.

Upon conclusion of the review, the committee will provide the Dean with a confidential written report of no more than five pages in length. The report should provide an assessment of the school's progress under the chair's leadership, an evaluation of the chair's performance as a "leader" and an "administrator," and recommendations for improvement, if any. The chair being reviewed will have opportunity to comment on the report. As the key component of the decision-making process, the Dean will evaluate the committee's report, make a decision regarding re-appointment of the chair, and communicate the results of the review, including any recommendations therein, both orally and in writing to the unit chair. The Dean will also inform the Review Committee of the re-appointment decision.

## 25.3 Person-Specific Evaluation Criteria

Prior to the initial appointment and/or re-appointment of a unit chair, the Dean and the candidate will define the criteria, along with any operationally meaningful measures, by which the chair's performance is to be judged. As part of the Dean's annual review of the chair, such performance criteria will be reaffirmed or modified in consultation with the chair. As a part of the charge to each specific chair's five-year review committee, the Dean will review the original evaluation criteria established at the beginning of the chair's current term, as well as any annual changes made since that time.

## 25.4 General Performance Criteria to be Used in Reviews

While person/unit-specific evaluation measures will be established as described above, the following "general criteria" should aid in the establishment of such measures:

a. Demonstrating evidence of commitment to the highest standards of quality in teaching, scholarship**/**research, and academic development, with evidence given of the school's actual progress on all three under his/her leadership.
b. Providing effective management of the internal affairs of the school.
c. Recruitment and retention of the highest quality faculty, staff and students.
d. Managing the school's fiscal affairs.
e. Developing and maintaining open communications with all constituencies.
f. Facilitating goal setting by individuals, programs, and by the unit as a whole.
g. Identifying issues and resolving conflicts affecting the unit.
h. Developing internal and external resources
i. Implementing fair and equitable performance evaluations and salary adjustments.
j. Establishing a working environment conducive to achieving individual and unit goals, as well as balancing and reconciling diverse interests within the unit**.**
k. Building relations with constituencies within and outside of Georgia Tech.

## 25.5 Modifications to Review Timing

While the purpose of this procedure is to regularize the formal five-year review process of unit chairs, it is recognized that circumstances may dictate that a modified period is more efficient and/or appropriate. At the Dean's discretion, the formal review of a unit chair may be performed at any time between four and six years after either the initial appointment or the preceding formal review. Review of the chair could be timed to coincide with the mandatory Board of Regents' program review.

## 25.6 Confidentiality

It is essential that the utmost confidentiality be maintained during the review process. The Dean will provide the committee with confidentiality guidelines at their first meeting.

### 25.7 Extraordinary Circumstances

It is recognized that all administrators, including the unit Chairs serve at the will of their immediate supervisors and higher administrators. Nothing in this review process is meant to limit the ability and responsibility of higher administrators to make changes in leadership positions whenever it is deemed necessary or desirable.

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Approved by the Executive Board 18 June 2002.

## 26. Award of Emeritus Title

Emeritus status is an honorific title signifying distinguished service to Georgia Tech. Consistent with Board of Regents policy, the president may recommend to the Board that an employee be granted "emeritus" status upon retirement. The president's recommendation will be based, in part, upon the recommendation of the unit in which the employee has served.

The following procedure will be used to develop recommendations:

1. The employee seeking the "emeritus" title shall submit a written request to the unit head prior to the planned retirement date. An employee may also be nominated for emeritus status by a colleague within the same unit, with the consent of the nominated employee.
2. If the unit has a designated Faculty Advisory Committee, the unit head shall forward the request, along with a detailed vita of the employee, to that committee. The unit's Faculty Advisory Committee shall submit a written recommendation (either positive or negative) to the unit head.
3. The unit head shall prepare a written recommendation (either positive or negative) and shall forward such recommendation, along with the unit's Faculty Advisory Committee's recommendation (if applicable) and the employee's vita, to the president for final action.
4. The unit recommendations shall be conveyed to the president and the candidate no later than three months after the request date.

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Source: Endorsed by the Executive Board.  Date November 28, 2000

## 27. Professional Absence and Leave Policies

The various types of leaves are defined in the Board of Regents Policy Manual, Section 802.08 as well as, the Board of Regents Academic Affairs Handbook, Section 4.9. The following section discusses leave policies that are unique to Georgia Institute of Technology. However, none of these policies supersede the policies and procedures stated in the Board of Regents Policy Manual and Academic Affairs Handbook.

### 27.1 Policy on Absences from Campus for Professional Activities

Occasional absences from campus are necessitated by the professional activities of most faculty members in a Research I university, and are consistent with the Duties, Responsibilities, and Privileges of faculty described in the Georgia Tech Faculty Handbook, Section 10.9.2.  At the same time it is essential that supervisors be cognizant of absences of faculty from campus and the reason for those absences, and that there be a clear prior approval and administrative oversight process that ensures that Board of Regents and Institute policies are followed.  The following procedures and approvals are intended to accomplish these objectives.

#### 27.1.1 Procedures

Absences from campus of more than one business day for professional activities, including consulting, should be documented in advance by submission of a Travel Authorization Form (TAR), or other acceptable document as required for approval under Section 27.1.2.  This procedure is consistent with Section 10.9.3 of the Faculty

Handbook.

The purpose of an absence and an itinerary should be provided. Any deviations from the original itinerary must be clearly indicated and explained when requests for reimbursement from Georgia Tech are submitted.

For absences from campus for professional activities of one business day or less the faculty member should notify his/her supervisor or designated representative as to his/her location. A Travel Authorization Form is not required unless reimbursement for expenses is expected.

It is the faculty member's responsibility to arrange for his/her duties to be performed during absences from campus. Cancellation of undergraduate classes due to absences from campus is strongly discouraged.

All absences for consulting must be reported monthly.

### 27.1.2 Approvals

Absences of more than one business day must be approved by the School Chair or his/her designated representative.

Absences of more than ten consecutive business days must be approved by both the School Chair and the Dean of the College, who will notify the Provost's office.

A proposed absence of greater than half a term in duration must be forwarded to the President's office by the Dean of the College for consideration for a Leave of Absence as defined by the Board of Regents.

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Source: Endorsed by the Academic Senate. Date 9/1999

## 27.2 Policy on Extension of the Probationary Period for Tenure

### 27.2.1 Purpose

The Georgia Institute of Technology has a critical interest in attracting and retaining a faculty of the highest quality. This interest is enhanced by insuring that faculty are promoted and tenured in ways that are fair and humane. To ensure fairness and equity in administering the system of academic tenure, the Institution must provide consistent conditions and standards while supporting members in balancing personal and family obligations with professional and scholarly achievement. For these reasons, extensions of the probationary period for tenure of a member are reserved for compelling circumstances which impair the ability of an individual to establish the stature expected of faculty members at Georgia Tech within the normal time frame.

### 27.2.2 Conditions

Approvals of extensions of the probationary period are never automatic but may be granted when circumstances cause substantial impairment of a candidate's ability to pursue his or her teaching and scholarly activities. Such circumstances may include severe personal illness, childbirth, adoption of a child less than six years old, or other significant obligations to a member of the family or household.

The probationary period may not be interrupted for more than one year per event with a maximum extension of two years.

If an extension is granted, no additional requirements for tenure can be imposed upon the candidate by virtue of the rollback. Thus, the candidate continues to be subject to the requirements to which he or she would have been subject without the extension.

The terms and conditions of this policy apply equally to men and women.

### 27.2.3 Procedure

Requests for an extension of the probationary period must be made in writing and submitted to the appropriate dean or school chair who will review the request. All requests must be made within three months of the event related to the rollback request. Any supporting documentation should be attached to the request. Requests are not granted automatically. Generally, however, Georgia Tech will attempt to provide rollbacks to all candidates that are making good progress and are requesting a rollback due to childbirth. Other circumstances warranting extension are considered equally valid but must, necessarily, be evaluated on a case-by-case basis. Every effort should be made to accommodate a request when it becomes clear that circumstances, consistent with this policy, will substantially impede the faculty member's progress toward achieving indefinite tenure or promotion.

The school chair will forward the request to the appropriate dean along with an evaluative statement addressing the faculty member's scholarly progress. The dean will make a recommendation and forward this request to the Provost for final action.

Consistency with Board of Regents' policy dictates a required leave to be comprised of sick leave or other alternatives. This requirement will be developed with the appropriate school chair or dean in colleges without schools.

Unit heads who recognize the need for a faculty member to request an interruption of the probationary period are encouraged to discuss this policy with that individual and to do so in a timely manner. Faculty members should feel free to approach their unit heads for information concerning this policy or with individual requests for extension.

Administrative reviews will continue to occur on a regular basis and are unaffected by this policy. Critical reviews however will be delayed with the probationary period extension.

The Provost will provide an annual report to the Executive Board and the Provost's Committee on Promotion, Tenure, and Reappointment on the implementation of this policy.

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Source: Endorsed by the Academic Senate. Date February 29, 2000

See Section 5.8 of the Georgia Tech Statutes

## 28. Research

The following Sections 29 -- 35 describe important infrastructure and policies supporting research at the Georgia Institute of Technology.

## 29. Georgia Tech Research Corporation

The Georgia Tech Research Corporation, a non-profit educational and research corporation affiliated with Georgia Institute of Technology, serves as the contracting entity for Georgia Tech. Georgia Tech Applied Research Corporation (GTARC), also a non-profit research and education affiliate of Georgia Tech, is a wholly owned subsidiary of GTRC and acts as the contracting entity for the Georgia Tech Research Institute. Both corporations serve Georgia Tech in the financial administration of externally funded research programs and related research activities. GTRC and GTARC provide a number of services in support of Georgia Tech research and in furtherance of the development and maintenance of the infrastructure for research. Some of these special areas of support are outlined below:

A. Serves as a contracting agency with industry, government, and other sponsors.

B. Maintains basic reserves to assure operating capital, thus providing stability and a means for long-range planning for the research program.
C. Assists Georgia Tech by defraying moving expenses for research faculty.
D. Assists Georgia Tech in attracting research dollars by appropriating funds for facilities and equipment, especially when a research award may be contingent upon Tech's having the facilities or equipment and the means for acquiring them are not otherwise available.
E. Serves as a fiscal buffer between external agencies and Georgia Tech through such activities as: carrying accounts receivable, assuming responsibility for retroactive provisional overhead adjustments, and absorbing bad debts.
F. Fulfills functions that otherwise present problems under State or Institutional Procedures. For example:
    0. Carries comprehensive third party liability insurance on research operations;
    0. May carry extra hazard insurance on research personnel where undue exposure justifies;
    0. Issues travel advances and reimburses some business expenses not otherwise reimbursable;
    0. Contracts for time purchases of expensive equipment; and
    0. Assumes contingent liability when it is not otherwise negotiable.
G. Manages the intellectual property that results from research activities at Georgia Tech. GTRC's Office of Technology Licensing serves as the agency for obtaining patents on Georgia Tech inventions and for licensing them to industry or to new companies for development and commercialization. It serves in the same capacity for copyright and other proprietary materials.
H. Assists Georgia Tech in obtaining or leasing research facilities.

## 29.1 Georgia Tech Research Corporation Educational Assistance Program for Research Faculty

### 29.1.1 General

The Educational Assistance Program of the Georgia Institute of Technology provides opportunities and assistance for research faculty in: (a) developing their capabilities; (b) preparing themselves for advancement; and (c) performing better on the job. It is anticipated that such additional education will benefit the member as well as the Institute. However, the member's primary responsibility is his/her job assignment at Georgia Tech, and the pursuit of additional education must not interfere with this assignment. The program provides financial aid for specific types of educational programs as outlined in the following policies and procedures:

### 29.1.2 Tuition Reimbursement Program

Georgia Tech encourages members of its professional research staff to take advantage of every opportunity for continuing their professional education and improving their job skills. To this end, the Tuition Reimbursement Program provides for reimbursement for tuition (maximum of six hours per semester) and student health and activity fees for any course for which approval has been granted. The provisions of the program are subject to change, depending on funds available, the number of participants, and experience gained in operation of the program.

### *Eligibility Requirements*

With proper approval of the appropriate unit, any permanent, full-time Georgia Tech employee with the title of Research Engineer, Scientist, Technologist, Associate I through Principal Research Engineer is eligible to apply for tuition reimbursement. Special consideration will be given to professional staff members who have other titles and who because of their responsibility are in a position to enhance research programs at Georgia Tech. Under certain circumstances, full-time professional staff members may reduce their workload and continue to participate in the program.

### *Conditions of Participation*

In order to participate in the Tuition Reimbursement Program, the professional staff member must meet the following conditions:

1. Meet eligibility requirements and complete the application form;
2. Attend an approved college/university, generally an institution in the University System of Georgia;
3. Pursue course work in an area closely related to present or future work assignments;
4. Not be entitled to reimbursement from other sources; and
5. Obtain a course grade of C or better.

### *Procedure*

In order to control and maintain the Tuition Reimbursement Program in an efficient and systematic manner, GTRC has implemented the following procedure:

The staff member shall complete an Application for Tuition Reimbursement form including approvals. The application shall be submitted to the Tuition Reimbursement Program, through the College Dean or the appropriate Director, Georgia Tech Research Institute, within a week of the date of the employee's registration. After review, a copy of the application shall be returned to the staff member indicating the action taken.

Within two weeks after completion of the course(s), the employee shall submit to the same program address above a transcript of his/her grade(s) and proof of payment of tuition and student health and activity fees.

After the transcripts of grades and proof of payments have been received, authorization for payment will be forwarded to the Georgia Tech Research Corporation.

## 29.2 Georgia Tech Research Corporation Supplementary Funds for Foreign Travel

Supplementary (Matching) Funds for Foreign Travel are part of the allocation made to each college and the Georgia Tech Research Institute on an annual basis by the GTRC Board of Trustees. These may be used to support foreign travel for researchers presenting technical papers or participating in an international meeting as an invited speaker. GTRC Matching Funds for Foreign Travel must be matched by sponsor or unit funds (the GTRC portion may be no more than 50% of allowable travel expenses). Only one trip per faculty member per year may be supported by these funds. Requests for use of these funds should be submitted to the office of the dean or the Vice President of GTRI.

## 29.3 Travel Advances for Research-Related Travel

Limited travel advances are available to support personnel in the performance of their professional responsibilities. It is suggested that credit cards and the Travel Inc. service be used to minimize requests when feasible. Because of the large amount of funds required for travel advances, the following procedures must be observed:

- Requests for travel advances are made on the “Request for Travel Advance Form”, which may be found at the GTRC website (www.gtrc.gatech.edu). The request form must be approved prior to preparation and release of travel advance checks by GTRC.
- Requests for travel advances should be submitted to GTRC at least 3 days before departure. Please avoid special “last minute” requests.
- Travel advance checks may be picked up at the GTRC office after 10:00 am on the last working day before departure. A check may be picked up sooner if prior arrangements have been made with GTRC. Travel advance checks will be considered null and void if not picked up before departure.
- Repayment of travel advance funds must be made in full no later than fifteen working days after the traveler’s return to campus or upon reimbursement of travel expenses – which ever comes first.

Repayment may be made in cash or personal check payable to Georgia Tech Research Corporation.

- **Reimbursement will be made to the traveler for the full amount of the travel expense submitted on the TES. The traveler is responsible for repaying the travel advance, in-full, to GTRC.**
- Only one travel advance may be outstanding from any individual at any time unless there is a sound, mitigating circumstance (for example, trips spaces less than 15 working days apart).
- Each month, GTRC will provide each School/Laboratory Director with a list of accounts that are significantly past due. If these accounts are not cleared within 10 working days, no advances will be issued to personnel of that School/Laboratory until the delinquent account is cleared. The individual involved will be issued no further advances for the next 12 months.

Source: Georgia Tech Research Corporation. Date: 7/2003

## 30. Facilities and Administrative (Indirect) and Matching Funds

At Georgia Tech in Resident Instruction (Colleges and Centers) UNITS, each sponsored program conducted is required to be budgeted to permit the Institute to collect indirect costs on modified total direct costs (MTDC) base.

MTDC includes most direct costs (such as salaries, materials and supplies, travel, fringe benefits, charges of cost centers, and the first $25,000 of each subcontract). This method of indirect cost recovery has been mandated by the Office of Management and Budget (OMB) under Circular A-21, Revised, the governing cost principles for educational institutions. In the Georgia Tech Research Institute (GTRI), sponsored program costs are managed under commercial cost principles (Federal Acquisition Regulation Part 31.2), and indirect costs are collected as lab overhead, engineering overhead, other direct cost overhead, and general & administrative (G&A).

Every sponsored program that includes salaries and wages for faculty and staff will also include a charge for fringe benefits. This is a rate to recover Georgia Tech's cost of the employees' benefits program (i.e., retirement, insurance, FICA, etc.). It is a rate approved annually by the Office of Naval Research (ONR) after an advisory audit by the Defense Contract Audit Agency (DCAA) of the actual cost of the program. There are different rates for full-time and part-time employees. Students do not participate in the benefits program.

Similarly, the overhead rates for sponsored programs [Organized Research (capped & uncapped), Sponsored Instruction, and Other Sponsored Activities] are annually established, effective July 1st of each year and are approved by ONR after an advisory audit by DCAA of all indirect costs of the Georgia Tech research program. On industrial sponsored research projects where no federal funding is involved, Georgia Tech charges an indirect cost rate that more closely approximates our actual costs for managing sponsored programs. Any exception to these sponsored project indirect cost rates must be approved in advance by the Vice Provost or Associate Vice Provost for Research.

The currently approved Facilities and Administrative rates, Fringe Benefits rates, and Tuition Remission rates are available on the OSP website.

Some sponsored programs may include matching funds (cost sharing) as part of the overall program budget. This may occur either because of the policy of the sponsoring agency or because the principal investigator and his/her school chair and dean concur that the work is of sufficient importance to their institutional goals to warrant investment of general research funds. Normally, few central administrative funds are available for matching fund commitments. In every case principal investigators should consult with their school chair for approval of matching fund commitments before preparing a proposal. While matching funds play an important role in the Institution's ability to obtain external funds for research, it should be noted that matching funds are included in the base for determining Facilities and Administrative rates. Expenditure of matching funds, therefore, has the effect of lowering the Facilities and Administrative cost recovery in future years.

After a proposal that includes matching funds is complete, it should be sent through the normal proposal routing

channels and should include a Sponsored Program/Research Proposal Cost Sharing Approval Form showing the source of the matching funds and the amount required.

Source: Office of Sponsored Programs. Date: 7/2003

## 31. Office of Sponsored Programs (OSP)

The Office of Sponsored Programs (OSP) reports to the Associate Vice Provost for Research. OSP provides research faculty with full-service, "cradle to grave" support and administration for all research contracts and grants at the Georgia Institute of Technology. All proposals for external funding must be routed through the Office of Sponsored Programs for official submission to the sponsoring agency. OSP verifies the proposed budget and handles all contractual or grant administrative matters relating to the submission and subsequent funding of proposals.

It is the responsibility of principal investigators and their School/ Laboratory/Department to prepare the proposals in terms of technical quality, adhering to formatting required by the sponsor. The Office of Sponsored Programs will submit proposals on paper or electronically, in accordance with sponsor guidelines.

Ordinarily, no proposal will be forwarded to an outside agency unless one of the principal investigators is a member of the General Faculty of the Institute and there is at least one School/Laboratory/Department willing to provide the necessary administrative commitment to permit the program to be carried out. All proposals that are submitted within a reasonable time before the potential sponsor deadline will be copied (duplicated) by Sponsored Programs and, as appropriate, bound with a cover for submission to the potential sponsoring agency.

Every effort will be made by OSP to cooperate in meeting tight time deadlines. It is the responsibility of the principal investigator, however, to coordinate the proposal submission with OSP when it is not possible to have the finished proposal in OSP at least one week before the sponsor deadline date.

OSP also has responsibility for administrative reports, property, and termination procedures involved in all grant and contract operations.

Proposals always must have administrative approval as shown on the Sponsored Program/Research Proposal Authorization Form

OSP has posted its "Policies and Procedures Manual" on the web at http://www.osp.gatech.edu/.

OSP’s three functional units are (1) Contract Administration (OCA); (2) Industry Contracting; and (3) Research Administration, Communications, Training and Technologies (ReACTT). The first two primarily submit all proposal and grant applications for sponsored research and instruction on behalf of Georgia Tech. Services include review and interpretation of contract and grant requirements, determination of appropriate terms and conditions, and establishment of pre-contract agreements, as well as the monitoring of all active contracts and grants, including modification of existing agreements.

The Office of Contract Administration (OCA) is comprised of three teams, by sponsor: Department of Defense; Other Federal Agencies; and Universities, Foundations, Other Government, and International. Others within OCA handle subcontract agreements and project closeout.

The Industry Contracting Office facilitates the research endeavors of Georgia Tech within industry, commerce, and the professions by optimizing the administration of industry sponsored research projects and ensuring superior standards of service are provided to faculty and to external customers.

ReACTT provides assistance in several areas of research administration. ReACTT presents workshops and training sessions on a range of topics, including Sponsored Programs’ processes, research administration, proposal development, and electronic technologies. ReACTT facilitates proposal development through

personalized sessions with individual PIs and web-based tools providing institutional information, electronic forms and templates, and sponsor application packages and guides. The office identifies funding opportunities through database searches, e-mail alert services, and review of the literature and sponsor web sites. ReACTT disseminates funding opportunities and policy/regulatory updates through the Sponsored Programs web site and a newsletter. “Research News” is published 9 times yearly and contains information on electronic proposal preparation and submission, funding opportunities, regulatory and procedural changes affecting campus policies or procedure and news items related to university research. ReACTT manages Material Transfer Agreements, which document the arrangements, terms, and conditions governing the exchange of certain chemical, biohazardous, or biological materials (including select agents) with other organizations. Finally, ReACTT operates the quick copy shop for proposals and deliverables, and is the official repository for research project files and progress reports, pending submission to the campus library archives.

Source: Office of Sponsored Programs. Date: 7/2003

## 32. Research Advisory Council

The Research Advisory Council is a group of faculty members, administrators, and students who form a representative cross-section of research-oriented personnel. They meet regularly to advise the Vice President for Research and Graduate Programs on the policies and procedures that support and expand the Georgia Tech research program. Members of the Council serve three-year terms with a rotation of four members per year. Advisory functions of this group have included developing the Institute patent policy, evaluating and prioritizing Institute-wide major research equipment and facilities, developing policies and recommendations relating to, and selecting recipients of research awards and seed grants, and other matters relating to development of the Institute's research program. Members of the Council are selected by the Office of the Vice President for Research and Graduate Programs upon the recommendation of the academic deans and Director of the Georgia Tech Research Institute.

Source: Office of the Vice Provost for Research and Graduate Studies. Date: 5/95

## 33. General and Indirect Research

### 33.1 General Research

"General Research" is a term used in the University System of Georgia to describe research carried out under the supervision of faculty members and supported by funds allocated to the system by the state legislature (as opposed to funds that are supplied for sponsored research by an external funding agency).

General Research funds are often used as "seed money" to fund ideas that are in their seminal stages which may need developing before they are considered worthy of funding by an external agency. The support of such development work is an appropriate use of general research funds.

Faculty members newly hired into University System institutions frequently wish to begin their research immediately. Often, they are supported on general research funds while developing their research programs and writing proposals for outside funding.

Some research projects are consistent with the mission of the Institute but are not of potential interest to funding agencies. General Research funds sometimes are used to support such projects.

### 33.2 Indirect Research

"Indirect Research" is a term used in the University System to describe those activities that are essential to the administration of research, both general and sponsored, but that are not by their nature directly chargeable to individual research projects. They are activities associated with the "overhead" function.

Examples of appropriate indirect research activities are: the administrative functions of budget control of research projects, assignment of facilities and personnel to research projects and the accounting and record-keeping function related to research, social security taxes, other insurance, building space and utilities, security, janitorial services, library, and grounds keeping.

Source: Vice Provost for Research. Date: 5/1995

## 34. Research Compliance

Universities, as partners in the national research enterprise, are required by federal and state regulations to establish specific research committees to ensure the safety and welfare of research subjects, those conducting research, and others who work or study within the research environment. Following are descriptions of the committees which have been established to oversee these particular research areas: animal subjects, recombinant DNA, biohazards and radioactive materials. The Institutional Animal Care and Use Committee, the Institutional Review Board, and the Institutional Biosafety and Biohazards Board are administered by the Office of Research Compliance. The Office of Research Compliance reports to the Associate Vice Provost for Research.

### 34.1 Institutional Animal Care and Use Committee

The Georgia Institute of Technology is committed to ensuring that animals involved in research and teaching receive humane care and treatment. The *Institutional Animal Care and Use Committee* (IACUC) is charged with reviewing all faculty-, staff-, or student-proposed used of animals, regardless of where the work is performed and source of funding, if any. The IACUC has set forth procedures for reporting, without fear of reprisal, concerns about the humane use and treatment of animals utilized in research at Georgia Tech. This committee regularly inspects and monitors the animal care and use program at the Institute to ensure that all components are in compliance with regulations and guidelines outlined in the federal Animal Welfare Act. The animal facilities are registered with the U.S. Department of Agriculture and undergo frequent inspection by that agency. The IACUC meets monthly to review research proposals/protocols which involve animal subjects. Georgia Tech's Animal Welfare Assurance is approved by the Department of Health and Human Services. Committee membership is structured in accordance with federal requirements; members are appointed by the Associate Vice Provost for Research, who also serves as the Institutional Official for matters related to animal subjects.

### 34.2 Institutional Biosafety and Biohazards Board

The *Institutional Biosafety and Biohazards Board* (IBBB) is responsible for reviewing all applications for research, teaching, and training that involve the use of recombinant DNA, select agents, pathogenic organisms other than select agents, etiological agents, and certain human samples at Georgia Tech and ensuring that the proposed activities comply with the federal regulations governing them. The role of the committee is to ensure the safety of personnel working with these materials and that laboratory practices conform to federal and state regulations. Recombinant DNA being considered in this context are those molecules which are constructed outside living cells or which result from the replication of constructed DNA within living cells.

All research activities involving recombinant DNA, select agents, pathogenic organisms other than select agents, etiological agents, and certain human samples, regardless of source of funding, must be reviewed by the IBBB. The Board has the responsibility and authority to review, approve, disapprove, or require changes in research activities involving recombinant DNA materials. The IBBB holds meetings as needed to review proposals.

Georgia Tech's Institutional Biosafety and Biohazards Board is registered with the National Institutes of Health's Office of Biotechnology Activities (OBA). IBBB works closely with Georgia Tech's Responsible Official and Biosafety Officer in the Office of Environmental Health and Safety. Committee membership is structured in accordance with federal requirements; members are appointed by the Associate Vice Provost for Research.

### 34.3 Institutional Review Board

The Georgia Institute of Technology is committed to protecting the rights and welfare of human subjects who participate in research conducted by any member of the faculty, staff, or student body, regardless of source of funding. Georgia Tech subscribes to the basic ethical principles that should underlie the conduct of biomedical and behavioral research involving human subjects as set forth in the Belmont Report, the timeless statement of ethical principles and guidelines for the protection of human subjects published in 1979 by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research. The Institutional Review Board (IRB) is charged with ensuring that the rights and welfare of human subjects are protected in all research projects involving Georgia Tech faculty, staff, students, or facilities. The IRB has the responsibility and authority to review, approve, disapprove, or require changes in research activities involving human subjects. All research activities involving human subjects, regardless of source of funding, must be reviewed by the Georgia Tech Institutional Review Board. The IRB holds regular monthly meetings to review research proposals involving human subjects. Georgia Tech's Federalwide Assurance is approved by the Department of Health and Human Services, and the Institutional Review Board is registered with the Department of Health and Human Services, Office for Human Research Protections. Committee membership is structured in accordance with federal requirements; members are appointed by the Associate Vice Provost for Research, who also serves as the Institutional Official for matters related to human subjects.

### 34.4 Nuclear Safeguards Committee

The *Nuclear Safeguards Committee* is responsible for maintaining the health and safety standards associated with the use of radioactive materials on the Georgia Tech campus and the operation of the Georgia Tech Research Reactor (GTRR). The committee meets quarterly, at a minimum, to review proposed experiments and tests utilizing radioactive material, the reactor facility, the hot cell facility, and all the other types of ionizing radiation on the Georgia Tech campus. The committee also reviews proposed and existing operating procedures and health physics procedures for the GTRR and audits reactor operations and plant equipment performance. Committee members are appointed by the President and serve three-year terms.

Source: Office of the President. Date: 8/1996

## 35. Policy for Responding to Allegations of Scientific or Other Scholarly Misconduct

### 35.1 Introduction

#### 35.1.1 General Policy

Georgia Tech expects all personnel to conduct themselves in a professional manner that will maintain the high standards and integrity of the Institute.

#### 35.1.2 Scope

This policy and the associated procedures apply to all individuals at Georgia Tech engaged in research or other scholarly activity regardless of the source of funding for the activity including but not limited to funding or proposed funding from federal sources (see References 1 and 2). This policy applies to any person paid by, under the

control of, or affiliated with the institution, such as scientists, trainees, technicians and other staff members, students, fellows, guest researchers, or collaborators with or at Georgia Tech. The policy and associated procedures will normally be followed when an allegation of possible misconduct in science is received by an institutional official. Particular circumstances in an individual case may dictate variation from the normal procedure deemed in the best interests of Georgia Tech and the U.S. Public Health Service (PHS). Any change from normal procedures also must ensure fair treatment to the subject of the inquiry or investigation. Any significant variation should be approved in advance by the Provost of Georgia Tech.

This policy and the procedural requirements involved in handling allegations of scientific or other scholarly misconduct are intended to be sensitive to the varied demands made on those who conduct research and other scholarly activities, those who are accused of misconduct, and those who report apparent misconduct in good faith.

This policy does not replace or supersede the Academic Honor Code and Student Code of Conduct found in the Georgia Institute of Technology General Catalogue (see Reference 3) for students subject to that policy, except when the alleged scientific or other scholarly misconduct occurs in sponsor supported activities.

## 35.2 Definitions

*Allegation* means any written or oral statement or other indication of possible Scientific or Other Scholarly Misconduct made to an institutional official.

*Complainant* means a person who makes an allegation of Scientific or Other Scholarly Misconduct.

*Conflict of interest* means, for purposes of the administration of this policy, the real or apparent interference of one person's interests with the interests of another person, where potential bias may occur due to prior or existing personal or professional relationships (see Reference 4).

*Good faith allegation* means an allegation made with the honest belief that Scientific or Other Scholarly Misconduct may have occurred. An allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

*Inquiry* means gathering information and initial fact-finding to determine whether an allegation or apparent instance of Scientific or Other Scholarly Misconduct warrants an investigation.

*Investigation* means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred, and, if so, to determine the responsible person and the seriousness of the misconduct.

*ORI* means the Office of Research Integrity, the office within the U.S. Department of Health and Human Services (DHHS) that is responsible for the scientific misconduct and research integrity activities of the U.S. Public Health Service (PHS). In the event the sponsor is the PHS, ORI will be notified as required by Section 50.104(a)(1-7) of 42CFR Part 50, Subpart A.

*PHS* means the U.S. Public Health Service, an operating component of DHHS.

*PHS regulation* means the Public Health Service regulation establishing standards for institutional inquiries and investigations into allegations of scientific misconduct, which is set forth at 42 C.F.R. Part 50, Subpart A, entitled "Responsibility of PHS Awardee and Applicant Institutions for Dealing With and Reporting Possible Misconduct in Science."

*PHS support* means PHS grants, contracts, or cooperative agreements or applications for such funding.

*Research record* means any data, document, computer file, computer diskette, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of an allegation of scientific misconduct. A research record includes, but is not limited to, grant or contract applications, whether funded or unfunded; grant or contract

progress and other reports; laboratory notebooks; notes; correspondence; videos; photographs; X-ray film; slides; biological materials; computer files and printouts; manuscripts and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

*Respondent* means the person against whom an allegation of Scientific or Other Scholarly Misconduct is directed or the person whose actions are the subject of the inquiry or investigation. There can be more than one respondent in any inquiry or investigation.

*Retaliation* means any action that adversely affects the employment or other institutional status of an individual that is taken by an institution or an employee because the individual has in good faith made an allegation of scientific misconduct or of inadequate institutional response thereto or has cooperated in good faith with an investigation of such allegation.

*Scientific* or *other scholarly misconduct* or *misconduct in science* means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data.

*Sponsor* means any agency of the U.S. Federal government, state government, private foundation, corporation, or other entity external to Georgia Tech that provides funds or other support to support a research project, research program, or other scholarly activity.  In the event the sponsor is the PHS, ORI will be notified (as defined above).

*Sponsor support* means any grant, contract, cooperative agreement, fellowship award, or any proposal or application for such funding.

## 35.3 Rights & Responsibilities

### 35.3.1 Provost

The Provost in consultation with the Chief Legal Advisor will have primary responsibility for implementation of the procedures set forth in this document.

The Provost will appoint the inquiry and investigation committees and ensure that necessary and appropriate expertise is secured to carry out a thorough and authoritative evaluation of the relevant evidence in an inquiry or investigation.

The Chief Legal Advisor on behalf of the Provost will assist inquiry and investigation committees and all institutional personnel in complying with these procedures and with applicable standards imposed by government or external funding sources. The Chief Legal Advisor will attempt to ensure that confidentiality is maintained.  The Chief Legal Advisor is also responsible for maintaining files of all documents and evidence and for the confidentiality and the security of the files.

The Provost will report to any sponsor as required by law, regulation, or contractual agreement and keep the sponsor apprised of any developments during the course of the inquiry or investigation that may affect current or potential funding for the individual(s) under investigation or that the sponsor needs to know to ensure appropriate use of sponsor funds and otherwise protect the public interest.

### 35.3.2 Complainant

The complainant will have an opportunity to testify before the inquiry and investigation committees, to review portions of the inquiry and investigation reports pertinent to his/her allegations or testimony, to be informed of the results of the inquiry and investigation, and to be protected from retaliation. Also, if the Provost has determined that

the complainant may be able to provide pertinent information on any portions of the draft report, these portions will be given to the complainant for comment. The complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with an inquiry or investigation.

### 35.3.3 Respondent

The respondent will be informed of the allegations when an inquiry is opened and notified in writing of the final determinations and resulting actions. The respondent will also have the opportunity to be interviewed by and present evidence to the inquiry and investigation committees, to review the draft inquiry and investigation reports, and to have the advice of counsel. The respondent is responsible for maintaining confidentiality and cooperating with the conduct of an inquiry or investigation. If the respondent is not found guilty of scientific or other scholarly misconduct, he or she has the right to receive institutional assistance in restoring his or her reputation such as verbal notification or written documentation that no misconduct was found (see Reference 5).

### 35.3.4 President

The President will receive the inquiry and/or investigation report and any written comments made by the respondent or the complainant on the draft report. The President will consult with the Provost or other appropriate officials and will determine whether to conduct an investigation, whether misconduct occurred, whether to impose sanctions, or whether to take other appropriate administrative actions as provided in Georgia Tech policies and the policies of the Board of Regents of the University System of Georgia.

## 35.4 General Policies & Principles

### 35.4.1 Responsibility to Report Misconduct

All employees or individuals associated with Georgia Tech shall report observed, suspected, or apparent misconduct in science to the Provost or Vice Provost for Research. If an individual is unsure whether a suspected incident falls within the definition of scientific or other scholarly misconduct, he or she may call the Chief Legal Advisor at (404) 894-4812 to discuss the suspected misconduct informally. If the circumstances described by the individual do not meet the definition of Scientific or Other Scholarly Misconduct, the Provost will refer the individual or allegation to other offices or officials with responsibility for resolving the problem. Compliance concerns in the Georgia Tech Research Institute may also be reported via the hotline at (404) 385-0311. At any time, an employee may have confidential discussions and consultations about concerns of possible misconduct with the Provost and will be counseled about appropriate procedures for reporting allegations.

### 35.4.2 Protecting the Complainant

The Provost will monitor the treatment of individuals who bring allegations of misconduct or of inadequate institutional response thereto, and those who cooperate in inquiries or investigations. The Provost will ensure that these persons will not be retaliated against in the terms and conditions of their employment or other status at the institution and will review instances of alleged retaliation for appropriate action. Employees should immediately report any alleged or apparent retaliation to the Provost.

Also the institution will protect the privacy of those who report misconduct in good faith to the maximum extent permitted by Georgia law. For example, if the Complainant requests anonymity, the institution will make an effort to honor the request during the allegation assessment or inquiry within applicable policies and regulations and Georgia law. The Complainant will be advised that if the matter is referred to an investigation committee and the complainant's testimony is required, anonymity may no longer be guaranteed. Georgia Tech will make efforts to protect the positions and reputations of those persons who, in good faith, make allegations.

### 35.4.3 Protecting the Respondent

Inquiries and investigations will be conducted in a manner that will ensure fair treatment to the respondent(s) in the inquiry or investigation and confidentiality to the extent possible without compromising public health and safety or thoroughly carrying out the inquiry or investigation.

Institute employees accused of scientific or other scholarly misconduct may consult with legal counsel or a non-lawyer personal adviser (who is not a principal or witness in the case) to seek advice.

### 35.4.4 Cooperation with Inquiries and Investigations

All Georgia Tech employees will cooperate with the Committee of Inquiry, committee of Investigation and Chief Legal Advisor and other institutional officials in the review of allegations and the conduct of inquiries and investigations. All employees have an obligation to provide relevant evidence to the committees or Chief Legal Advisor or other institutional officials on misconduct allegations.

### 35.4.5 Decision to Conduct an Inquiry

Upon receiving an allegation of scientific or other scholarly misconduct, the Provost in consultation with the Chief Legal Advisor will immediately assess the allegation to determine whether there is sufficient evidence to warrant an inquiry, whether sponsor support is involved, and whether the allegation falls under the definition of scientific or other scholarly misconduct found in Section 35.2 of this policy.

## 35.5 Conducting the Inquiry

### 35.5.1 Responsibility to Report Misconduct

Following the preliminary assessment, if the Provost determines that the allegation provides sufficient information to allow specific follow-up, involves PHS support, and falls under the definition of scientific or other scholarly misconduct, he or she will immediately initiate the inquiry process. In initiating the inquiry, the Provost should identify clearly the original allegation and any related issues that should be evaluated. The purpose of the inquiry is to make a preliminary evaluation of the available evidence and testimony of the respondent, complainant, and key witnesses to determine whether there is sufficient evidence of possible scientific or other scholarly misconduct to warrant an investigation. The purpose of the inquiry is not to reach a final conclusion about whether misconduct definitely occurred or who was responsible. The findings of the inquiry must be set forth in an inquiry report.

### 35.5.2 Sequestration of the Research and Other Records

After determining that an allegation falls within the definition of scientific or other scholarly misconduct, the Provost must ensure that all original research and other records and materials relevant to the allegation are immediately secured (see Reference 6).

### 35.5.3 Appointment of the Inquiry Committee

The Provost, in consultation with other institutional officials as appropriate, will appoint an inquiry committee and committee chair within 5 business days of the initiation of the inquiry. The inquiry committee should consist of individuals who do not have real or apparent conflicts of interest in the case, and who are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the allegation, interview the principals and key witnesses, and conduct the inquiry. These individuals may be scientists, subject matter experts, administrators, lawyers, or other qualified persons, and they may be from inside or outside the institution.

The Provost will notify the respondent of the proposed committee membership upon its appointment. If the

respondent submits a written objection to any appointed member of the inquiry committee or expert based on bias or conflict of interest within 5 business days, the Provost will determine whether to replace the challenged member or expert with a qualified substitute.

### 35.5.4 Charge to the Committee and the First Meeting

The Provost will prepare a charge for the inquiry committee that describes the allegations and any related issues identified during the allegation assessment and states that the purpose of the inquiry is to make a preliminary evaluation of the evidence and testimony of the respondent, complainant, and key witnesses to determine whether there is sufficient evidence of possible scientific or other scholarly misconduct to warrant an investigation as required by this policy. The purpose is not to determine whether scientific or other scholarly misconduct definitely occurred or who was responsible.

At the committee's first meeting, the Provost will review the charge with the committee, discuss the allegations, any related issues, and the appropriate procedures for conducting the inquiry, assist the committee with organizing plans for the inquiry, and answer any questions raised by the committee. The Chief Legal Advisor will be present or available throughout the inquiry to advise the committee as needed.

### 35.5.5 Inquiry Process

The inquiry committee will normally interview the complainant, respondent, and key witnesses as well as examining relevant research records and materials. Then the inquiry committee will evaluate the evidence and testimony obtained during the inquiry. After consultation with the Provost and institutional counsel, the committee members will decide whether there is sufficient evidence of possible scientific or other scholarly misconduct to recommend further investigation. The scope of the inquiry does not include deciding whether misconduct occurred or conducting exhaustive interviews and analyses.

## 35.6 The Inquiry Report

### 35.6.1 Elements of the Inquiry Report

A written inquiry report must be prepared that states the name and title of the committee members and experts, if any; the allegations; sponsor support; a summary of the inquiry process used; a list of the research records reviewed; summaries of any interviews; a description of the evidence in sufficient detail to demonstrate whether an investigation is warranted or not; and the committee's determination as to whether an investigation is recommended and whether any other actions should be taken if an investigation is not recommended. The Chief Legal Advisor will review the draft report.

### 35.6.2 Comments on the Draft Report by the Respondent and the Complainant

The Provost will provide the respondent with a copy of the draft inquiry report for comment and rebuttal and will provide the complainant, if he or she is identifiable, with portions of the draft inquiry report that address the complainant's role and opinions in the investigation.

## Confidentiality

To the extent permitted by Georgia law, the Provost may establish reasonable conditions for review to protect the confidentiality of the draft report.

## Receipt of Comments

Within 10 business days of their receipt of the draft report, the complainant and respondent will provide their comments, if any, to the inquiry committee. Any comments that the complainant or respondent submits on the draft report will become part of the final inquiry report and record. Based on the comments, the inquiry committee may revise the report as appropriate.

### 35.6.3 Inquiry Decision and Notification

## Decision by President

The Provost will transmit the final report and any comments to the President, who will make the determination of whether findings from the inquiry provide sufficient evidence of possible scientific or other scholarly misconduct to justify conducting an investigation. The inquiry is completed when the President makes this determination, which will be made within 5 business days of receipt of the final report of the inquiry committee. Any extension of this period will be based on good cause and recorded in the inquiry file.

## Notification

The Provost will notify both the respondent and the complainant in writing of the President's decision of whether to proceed to an investigation and will remind them of their obligation to cooperate in the event an investigation is opened. The Provost will also notify all appropriate institutional officials of the President's decision.

### 35.6.4 Time Limit for Completing the Inquiry Report

The inquiry committee will normally complete the inquiry and submit its report in writing to the Provost no more than 15 business days following its first meeting, unless the Provost approves an extension for good cause. If the Provost approves an extension such that completion of the inquiry including the report will require more than 60 calendar days, the reason for the extension will be entered into the records of the case and the report. The respondent will be notified of any extension.

## 35.7 Conducting the Investigation

### 35.7.1 Purpose of the Investigation

The purpose of the investigation is to explore in detail the allegations, to examine the evidence in depth, and to determine specifically whether misconduct has been committed, by whom, and to what extent. The investigation will also determine whether there are additional instances of possible misconduct that would justify broadening the scope beyond the initial allegations. This is particularly important where the alleged misconduct involves clinical trials or potential harm to human subjects or the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice. The findings of the investigation will be set forth in an investigation report.

### 35.7.2 Sequestration of the Research Records

The Provost will immediately sequester any additional pertinent research or other records that were identified during an inquiry and not previously sequestered. This sequestration should occur before or at the time the respondent is notified that an investigation has begun. The need for additional sequestration of records may occur for any number of reasons, including the institution's decision to investigate additional allegations not considered during the inquiry stage or the identification of records during the inquiry process that had not been previously secured. The procedures to be followed for sequestration during the investigation are the same procedures that apply during the inquiry.

### 35.7.3 Appointment of the Investigation Committee

The Provost, in consultation with other institutional officials as appropriate, will appoint an investigation committee and the committee chair within 10 business days of notifying the respondent that an investigation will take place. The investigation committee should consist of at least three individuals who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the allegations, interview the principals and key witnesses, and conduct the investigation. These individuals may be scientists, administrators, subject matter experts, lawyers, or other qualified persons, and they may be from inside or outside the institution. Individuals appointed to the investigation committee may also have served on the inquiry committee.

Upon selection, the Provost will notify the respondent of the proposed committee membership. If the respondent submits a written objection within 10 business days to any appointed member of the investigation committee or expert, the Provost will determine whether to replace the challenged member or expert with a qualified substitute.

### 35.7.4 Charge to the Committee and the First Meeting

## *Charge to the Committee*

The Provost will define the subject matter of the investigation in a written charge to the committee that describes the allegations and related issues identified during the inquiry, define scientific and other scholarly misconduct, and identify the name of the respondent. The charge will state that the committee is to evaluate the evidence and testimony of the respondent, complainant, and key witnesses to determine whether, based on a preponderance of the evidence, scientific or other scholarly misconduct occurred and, if so, to what extent, who was responsible, and its seriousness.

During the investigation, if additional information becomes available that substantially changes the subject matter of the investigation or would suggest additional respondents, the committee will notify the Provost, who will determine whether it is necessary to notify the respondent of the new subject matter or to provide notice to additional respondents.

## *The First Meeting*

The Provost, with the assistance of the Chief Legal Advisor, will convene the first meeting of the investigation committee to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for confidentiality and for developing a specific investigation plan. The investigation committee will be provided with a copy of these instructions and, where sponsor support is involved, the applicable sponsor regulation.

#### 35.7.5 Investigation Process

The investigation committee will be appointed and the process initiated within 30 calendar days of the completion of the inquiry, if findings from that inquiry provide a sufficient basis for conducting an investigation.

The investigation will normally involve examination of all documentation including, but not necessarily limited to, relevant research records, computer files, proposals, manuscripts, publications, correspondence, memoranda, and notes of telephone calls. Whenever possible, the committee should interview the complainant(s), the respondents(s), and other individuals who might have information regarding aspects of the allegations. All other interviews should be transcribed, or tape recorded. Summaries of the tape recordings or transcripts of the interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file.

## 35.8 The Investigation Report

#### 35.8.1 Elements of the Investigation Report

The final report must describe the policies under which the investigation was conducted, describe the procedures used, describe how and from whom information relevant to the investigation was obtained, state the findings, and explain the basis for the findings. The report will include the actual text or an accurate summary of the views of any individual(s) found to have engaged in misconduct as well as a description of any sanctions imposed and administrative actions taken by the institution.

#### 35.8.2 Comments on the Draft Report

### *Respondent*

The Provost will provide the respondent with a copy of the draft investigation report for comment and rebuttal. The respondent will be allowed 10 business days to review and comment on the draft report. The respondent's comments will be attached to the final report. The findings of the final report should take into account the respondent's comments in addition to all the other evidence.

### *Complainant*

The Provost will provide the complainant, if he or she is identifiable, with those portions of the draft investigation report that address the complainant's role and opinions in the investigation. The report should be modified, as appropriate, based on the complainant's comments, which must be received by the committee within 10 business days.

### *Chief Legal Advisor*

The draft investigation report will be transmitted to the Chief Legal Advisor for a review. Comments should be incorporated into the report as appropriate.

### *Confidentiality*

In distributing the draft report, or portions thereof, to the respondent and complainant, the Provost will inform the recipient of the confidentiality under which the draft report is made available and may establish reasonable conditions to ensure such confidentiality. For example, the Provost may request the recipient to sign a confidentiality statement, come to his or her office, or come to the Chief Legal Advisor's office to review the report.

#### 35.8.3 Transmittal of the Final Investigation Report

After comments have been received and the necessary changes have been made to the draft report, the investigation committee should transmit the final report with attachments, including the respondent's and complainant's comments, to the President, through the Provost.

#### 35.8.4 Institutional Review and Decision

The President will review the final report and recommendations of the Investigation Committee. Based on a preponderance of the evidence, the President will make the final determination whether to accept the investigation report, its findings, and the recommended institutional actions. The President will make the final decision regarding any institutional actions or the imposition of any sanctions. There is no further appeal within Georgia Tech of any sanctions imposed as a result of a finding of scientific or other scholarly misconduct.
If the President's determination varies from that of the investigation committee, the President will explain in detail the basis for rendering a decision different from that of the investigation committee in a letter to the Provost which shall become part of the investigation file. This shall also be included in Georgia Tech's letter transmitting the report to appropriate sponsor including ORI if PHS funding or a proposal for such funding is involved. The President's explanation should be consistent with the definition of scientific or other scholarly misconduct (Section 35.2 of this policy) and the evidence reviewed and analyzed by the investigation committee. The President may also return the report to the investigation committee with a request for further fact-finding or analysis. The President's determination, together with the investigation committee's report, constitutes the final investigation report for purposes of review as may be required by law or sponsor regulations.

When a final decision on the case has been reached, the Provost will notify both the respondent and the complainant in writing. In addition, the President will determine whether law enforcement agencies, professional societies, professional licensing boards, editors of journals in which falsified reports may have been published, collaborators of the respondent in the work, or other relevant parties should be notified of the outcome of the case. The Provost is responsible for ensuring compliance with all requirements to notify sponsors.

#### 35.8.5 Time Limit for Completing the Investigation Report

An investigation should ordinarily be completed within 120 calendar days of its initiation, with the initiation being defined as the first meeting of the investigation committee. This includes conducting the investigation, preparing the report of findings, making the draft report available to the subject of the investigation for comment, submitting the report to the President for approval, and submitting the report to the sponsor if required.

## 35.9 Requirements for Reporting to Sponsors

In the event that an allegation of scientific or other scholarly misconduct involves grants, contracts or cooperative agreements or proposals or applications for funding submitted to a Federal or other sponsor, the Provost's decision to initiate an investigation must be reported in writing to that sponsor if required by state or Federal laws or the sponsor's regulations or by contractual agreement (see Reference 7). At a minimum, notification, when required, should include the name of the person(s) against whom the allegations have been made, the general nature of the allegation as it relates to the definition of scientific and other scholarly misconduct, and the

applications or grant number(s) involved. In accordance with the applicable regulations, Georgia Tech may also be required to notify the sponsor of the final outcome of the investigation and provide a copy of the investigation report. Any significant variations from the provisions of the institutional policies and procedures should be explained in any reports submitted to a sponsor.

If Georgia Tech plans to terminate an inquiry or investigation for any reason without completing all relevant requirements of the applicable regulations, the Provost will submit a report of the planned termination to the sponsor, including a description of the reasons for the proposed termination as required by those regulations.

If Georgia Tech determines that it will not be able to complete the investigation in 120 days, Georgia Tech may be required to submit to the sponsor a written request for an extension that explains the delay, reports on the progress to date, estimates the date of completion of the report, and describes other necessary steps to be taken. If such a request is required in the event that the scientific or other scholarly misconduct occurred in a activity supported by PHS, the Provost will submit it and, if the request is granted, the Provost will file periodic progress reports as requested by the ORI.

When an admission of scientific or other scholarly misconduct is made, the individual making the admission will normally be asked to sign a statement attesting to the occurrence and extent of misconduct (see Reference 8).

The Provost will notify sponsors or other appropriate Federal, state or local officials or Georgia Tech administrative officials at any stage of the inquiry or investigation if:

- There is an immediate health hazard involved;
- There is an immediate need to protect Federal funds or equipment;
- There is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is the subject of the allegations as well as his/her co-investigators and associates, if any;
- It is probable that the alleged incident is going to be reported publicly; or
- The allegation involves a public health sensitive issue, e.g., a clinical trial; or
- There is a reasonable indication of possible criminal violation (see Reference 9).

## 35.10 Institutional Administrative actions

Georgia Tech will take appropriate administrative actions against individuals when an allegation of misconduct has been substantiated. If the President determines that the alleged misconduct is substantiated by the findings, he or she will decide on the appropriate actions to be taken, after consultation with the Provost. The actions may include: withdrawal or correction of all pending or published abstracts and papers emanating from the research where scientific or other scholarly misconduct was found; removal of the responsible person from the particular project; letter of reprimand; special monitoring of future work; probation; suspension; salary reduction; or initiation of steps leading to possible rank reduction or termination of employment; restitution of funds as appropriate; or failure or reduction of a grade in a course.

## 35.11 Other Considerations

### 35.11.1 Termination of Institutional Employment, Resignation, or Withdrawal from the Institution Prior to Completing Inquiry or Investigation

The termination of the respondent's institutional employment or enrollment, by resignation or otherwise, before or after an allegation of possible scientific or other scholarly misconduct has been reported, will not preclude or terminate the misconduct procedures. If the respondent, without admitting to the misconduct, elects to resign his or her position prior to the initiation of an inquiry, but after an allegation has been reported, or during an inquiry or investigation, the inquiry or investigation will proceed. If the respondent refuses to participate in the process after resignation, the committee will use its best efforts to reach a conclusion concerning the allegations, noting in its report the respondent's failure to cooperate and its effect on the committee's review of all the evidence.

### 35.11.2 Restoration of the Respondent's Reputation

If Georgia Tech finds no misconduct, after completing any required consultation with a sponsor and after consulting with the respondent, the Provost will undertake reasonable efforts to restore the respondent's reputation. Depending on the particular circumstances, the Provost should consider notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in forums in which the allegation of scientific or other scholarly misconduct was previously publicized, or expunging all reference to the scientific or other scholarly misconduct allegation from the respondent's personnel file. Any institutional actions to restore the respondent's reputation must first be approved by the President.

### 35.11.3 Protection of the Complainant and Others

Regardless of whether the institution or ORI determines that scientific or other scholarly misconduct occurred, the Provost will undertake reasonable efforts to protect complainants who made allegations of scientific or other scholarly misconduct in good faith and others who cooperate in good faith with inquiries and investigations of such allegations. Upon completion of an investigation, the President will determine, after consulting with the complainant, what steps, if any, are needed to restore the position or reputation of the complainant. The Provost is responsible for implementing any steps the President approves. The Provost will also take appropriate steps during the inquiry and investigation to prevent any retaliation against the complainant.

### 35.11.4 Allegations Not Made in Good Faith

If relevant, the President will determine whether the complainant's allegations of scientific or other scholarly misconduct were made in good faith. If an allegation was not made in good faith, the President will determine whether any administrative action should be taken against the complainant.

### 35.11.5 Interim Administrative Actions

Institutional officials will take interim administrative actions, as appropriate, to protect Federal funds and ensure that the purposes of the Federal financial assistance are carried out.

## 35.12 Record Retention

After completion of a case and all ensuing related actions, the Chief Legal Advisor will prepare a complete file, including the records of any inquiry or investigation and copies of all documents and other materials furnished to the Provost or committees. The Office of Legal Affairs will keep the file for three years after completion of the case to permit later assessment of the case. As required by law or regulation, sponsor personnel, including ORI or other authorized DHHS personnel in cases involving PHS support, will be given access to the records upon request.

## 35.13 References

1. The PHS regulation at 42 C.F.R. Part 50, Subpart A applies to any research, research-training or research-related grant or cooperative agreement with PHS.
2. The DOD Federal Acquisition Regulations (DFARS) lay out minimum requirements of a system of management controls to promote integrity and honesty in the contractor’s business conduct. These are found at SUBPART 203.70--CONTRACTOR STANDARDS OF CONDUCT.
3. http://www.catalog.gatech.edu/
4. The Georgia Institute of Technology Policy on Conflict of Interest, Consulting, and Disclosure may be found in Section 38 of the Faculty Handbook.
5. See Section 35.11.2
6. In the event PHS funding or applications for PHS funding are involved, the Provost and Chief Legal Advisor may consult with ORI for advice and assistance regarding the sequestration of research records.
7. In the event the alleged scientific or other scholarly misconduct involves PHS funding or proposals or

applications submitted for PHS funding, Georgia Tech's decision to initiate or terminate an investigation must be reported in writing to the Director, ORI, on or before the date the investigation begins.
8. When the case involves PHS support, Georgia Tech cannot accept an admission of scientific misconduct as a basis for closing a case or not undertaking an investigation without prior approval from ORI.
9. In this instance, the institution must inform ORI within 24 hours of obtaining that information if PHS funding is involved.

Source: Associate Vice Provost for Research Date: 4/22/2005

# 36. General Institute Policy

Sections 37 -- 53 of the Faculty Handbook describe programs and policies instituted by the administration or by responsible units for the good of the Institute. The content of each section is determined by the appropriate authority and is included in the Handbook with the consent of the faculty.

# 37. Affirmative Action, Equal Employment Opportunity, Conflict Resolution, Anti-Harassment Policy and Procedure

## 37.1 Policy on Nondiscrimination and Affirmative Action

The Georgia Institute of Technology is committed to affirmative implementation of equal employment opportunity in education and employment. The Institute does not discriminate against individuals on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, or veteran status in the administration of admissions policies, educational policies, employment policies, or any other Institute governed programs and activities. The Institute's non-discrimination policy applies to every member of the institute community.

The Equal Employment Opportunity Policy Statement should be included in general distribution policy manuals including, without limitation, faculty/employee handbooks or comparable documents and all recruiting or promotional materials.

The Director of the Office of Diversity Management in the Office of Human Resources is designated as the Institute's Equal Opportunity Officer and Title IX Coordinator. Inquiries regarding the Institute's policies or compliance with applicable laws and regulations may be directed to the Director of the Office of Diversity Management.

Source: Office of the President. April 1, 2004

## 37.2 Dissemination of the Affirmative Action Policy

### 37.2.1 Internal Dissemination of Policy Statement

Georgia Institute of Technology will continue to make its equal employment opportunity policy known internally by:

1. Posting a Reaffirmation Statement.
2. Including the policy in the Institute's Human Resources Policy Manual and Classified Employee Handbook which will be maintained on the WWW.
3. Including a non-discrimination clause in the Job Bulletin.

4. Conducting Voluntary Supervisory Training.

### 37.2.2 External Dissemination of Policy Statement

Georgia Tech will make its policy known externally by:

1. Incorporating the equal employment opportunity clause on all purchase orders, leases and contracts covered by Executive Order 11246.
2. Informing all recruiting sources in writing of Institute policy, stipulating that the sources actively recruit and refer women and minorities for all positions for which they refer applicants.
3. Showing both minority and non-minority men and women when employees are pictured in advertising.
4. Including a non-discrimination clause in the Job Bulletin.
5. Outreach activities with community agencies, schools and colleges.

### 37.2.3 Availability of Affirmative Action Plans

**Institutional copies of the Affirmative Action Plan are available at:**

- The Affirmative Action Office
- Library
- The Associate Vice President for Human Resources

**Additional copies of the Affirmative Action Plan are maintained in:**

- The Office of the President

Deans and directors may develop supplementary diversity plans for their respective colleges, schools, or departments to implement further the Georgia Tech Plan.

### 37.2.4 Meetings to Discuss Affirmative Action Plan

Department heads should meet as needed with faculty to announce any changes in the Institute's Plan and to outline the Institute's equal employment policy as well as the employee's individual responsibilities and benefits under Executive Order 11246 as amended by 11375

### 37.2.5 Search Committees

All committees charged with the responsibility for searching or screening or for making recommendations concerning appointments, recruitment, and promotions have been and will continue to be informed of their obligations under the Institute's Affirmative Action Program.

### 37.2.6 Meetings with Students

The Director, Equal Opportunity Programs meets by invitation with student groups to inform both students and faculty of the Institute's Affirmative Action Plan and of the federal requirements concerning affirmative action.

### 37.2.7 Dissemination of Affirmative Action Information

**Internal Dissemination**

Articles on various aspects of affirmative action and equal employment opportunity appear in the official campus organ, the Whistle, and may be submitted to the student newspaper, the Technique.

The Director, Equal Opportunity Programs periodically sends documents to all individuals with hiring authority throughout the campus. The individuals to whom such mailings are made include the president, vice presidents, deans, and department heads.

**External Dissemination of Affirmative Action Information**

Articles on affirmative action progress may be released from time to time by the Vice President for External Affairs.

**Equal Opportunity Clause**

All solicitations or advertisements for employees indicate that qualified applicants will receive consideration for employment without regard to race, color, religion, gender, or national origin.

Source: Office of the President. June 1, 1998

## 37.3 Responsibility for Implementation of the Affirmative Action Plan

The Associate Vice President for Human Resources (AVP for OHR) has the overall responsibility for the implementation of the Institute's equal opportunity policy. He or she has assigned the day-to-day management of this function to the Director, Equal Opportunity Programs, who has the full support of executive management.

### 37.3.1 Responsibilities of the Director, Equal Opportunity Programs

The responsibilities of the Director, Equal Opportunity Programs include:

1. Developing policy statements, affirmative action programs as well as internal and external communication techniques.
2. Identifying problem areas.
3. Assisting vice presidents, deans, directors, and department heads in arriving at solutions to problems.
4. Designing and implementing auditing and reporting systems that:
    a. Measure the effectiveness of the EEO programs.
    b. Indicate any need for remedial action.
    c. Determine the degree to which the Institute's goals and objectives are being carried out.
5. Serving as liaison between the Institute and enforcement agencies.
6. Serving as liaison between the Institute and minority organizations, women's organizations, and community groups concerned with employment opportunities for women and minorities.
7. Keeping management informed of the latest developments in the equal opportunity area.
8. Meeting with department managers and supervisors as necessary to make certain that EEO policies are being followed.
9. Informing all supervisors that their individual work performance is being evaluated on the basis of their equal opportunity efforts and results, as well as other criteria.

### 37.3.2 Responsibilities of Vice Presidents, Deans, Directors, Department Heads

The responsibilities of the vice presidents, deans, directors, department heads include:

1. Assisting the Director of Equal Opportunity Programs in the identification of problem areas and in the establishment of applicable organizational unit goals and objectives.
2. Assisting in the establishment of only job related criteria in selection for hire, promotion, transfer training, and all other employment opportunities.
3. Reviewing the qualifications of all employees to ensure that minorities and women are given full opportunities for transfer and promotion.
4. Ensuring a careful review of the applications of women and minority applicants for all posted positions.
5. Performing periodic audits to ensure that:
    a. EEO posters and Institute policy statements are properly displayed.
    b. All facilities which the Institute maintains for the use and benefit of its employees are, in fact, desegregated, both in policy and in use, and that facilities such as dormitories, locker rooms, and rest rooms are comparable for both sexes.
    c. Minority and female employees are encouraged to participate in all Institute sponsored educational, training, recreational, and social activities.
6. Preventing harassment of employees on account of race, color, religion, sex, or national origin.
7. Understanding that employee work performance is being evaluated on the basis of their equal opportunity efforts and results, as well as other criteria.

### 37.3.3 Office of Human Resources

The Office of Human Resources (OHR) is charged with the responsibility of making known to members of minority groups and to women groups within the Atlanta labor market area the availability of employment opportunities within the staff job categories throughout the Institute. Further, OHR has the responsibility of making known any internal transfer and advancement opportunities within the Institute.

Source: Office of the President. June 1, 1998

## 37.4 Office of Diversity Management's Equal Employment Opportunity Complaint Policy

### 37.4.1 General

The Office of Diversity Management (ODM) facilitates compliance of the Institute with federal, state, and Board of Regents Equal Opportunity laws and guidelines. This office has the full support of the Institute to identify and initiate resolution of Equal Employment Opportunity (EEO) policy violations. This policy sets forth the procedure by which employees, faculty and students of the Institute may file a complaint of discrimination. The Office of Diversity Management investigates student discrimination complaints involving employees of the institute.

The Institute will use these complaint procedures whenever it becomes aware of a possible violation of the laws or guidelines referenced herein. However, if an alleged violation is under review in another office/forum, or has already been reviewed in a different forum, the ODM may reject a new complaint regarding the same allegations or elect to temporarily set the complaint aside until processing in the other forum is complete.

### 37.4.2 Individual Rights and Responsibilities

Faculty, staff, and students are encouraged to communicate effectively, treat each other with respect and to resolve complaints as quickly as possible without having to use these procedures. However, any employee or student who believes he or she has been subjected to discriminatory and/or harassing behavior from individuals covered by the same policies may have their complaints addressed by the Institute’s official complaint process.

Alternatively, grievant may elect to file their complaints with an external civil rights agency or court of law and subject to the processes of those forums.

### 37.4.3 Terminology

**Non-reprisal/Retaliation**

Retaliation or reprisal is defined as seeking revenge, evening the score or striking back at a perceived wrong. In an employment law context, examples of retaliation could include termination, suspension, disciplinary action, denial of promotion, benefits or refusal to hire an individual. Federal and state laws prohibit retaliation against persons who file complaints of discrimination.

An employee will be free from restraint, interference, coercion or reprisal in bringing a grievance, serving as a representative of a grievant, appearing as a witness or in seeking information about the grievance policy.

**Abuse of Process**

Adverse personnel action may be taken against persons who knowingly file false charges of discrimination, retaliation, or harassment. Such actions may include dismissal of the complaint and/or disciplinary actions against the employee, up to and including discharge or dismissal.

**Withdrawal**

Either complainant or respondent may submit a voluntary complaint resolution or proposal for resolution prior to or during an investigation. The complainant may also, at any time, withdraw a complaint by completing a voluntary complaint withdrawal form in ODM. The ODM may have a business responsibility to continue investigating certain types of complaints, even if the complaint is withdrawn, and where applicable will do so.

**Actions which may not be grieved include:**

Reductions-in-force, reorganization, compensation if it represents a challenge to the structure of the classification and compensation system, merit increases given within appropriate Institute guidelines, reclassification, and in general performance evaluations. However, performance evaluations and job classification questionnaires may be used as evidence in the evaluation of complaints of discrimination.

### 37.4.4 Procedures

Institute employees and students have the right to seek redress of complaints through consultation with management in the unit. If in good faith, the consultation is impracticable or does not lead to a fair and prompt resolution, then the employee or student may seek assistance from the ODM.

When a complaint is accepted by the ODM for processing the complainant will choose one of two options to proceed: A) Voluntary Mediation B) Formal Investigation by the ODM.

**Voluntary Mediation**

If the complainant chooses mediation, the ODM will refer the parties to the Alternative Dispute Resolution (ADR) Office and/or the Dean of Students Office for mediation services. If the ODM determines that mediation is the best dispute resolution option, it will be recommended to the parties. Since mediation is voluntary, both parties must agree to mediate the dispute. A successful mediation will be chronicled in a written mediated agreement in which all parties concur in accordance with procedures of alternative dispute resolution. (See OHR Policy No. 7.7, Alternative Dispute Resolution (ADR) Policy and Procedure.) If the parties do not agree to mediate or attempted mediation is not successful, then a formal investigation of the charge will be instigated.

**Formal Investigation**

If a preliminary inquiry indicates that there is insufficient evidence to support the allegations of discrimination in violation of Institute policy, then the complaint will be referred to an informal process for resolution. If a preliminary inquiry indicates that there is sufficient evidence that the allegations of discrimination in violation of Institute policy probably have merit a full objective investigation will take place.

Any investigation conducted by the ODM will result in a formal report being issued. In general an investigation will be completed within 60 working days of the complaint filing except in extraordinary circumstances. Cases are prioritized in the order received, cases involving termination receiving the highest priority. When discrimination is alleged as a basis for employee termination, the grievance hearing will be delayed, pending the outcome of an internal investigation by the ODM.

Upon completion of the internal investigation, the grievance hearing will proceed in accordance with Human Resources policy. (See OHR Policy No. 12.1, Dismissal, Demotion or Suspension).

Step 1. Grievant files a written complaint with ODM within 30 days of incident.

Step 2. The ODM will notify the respondent within the unit in writing.

Step 3. The respondent will consider and answer the complaint in writing within seven working days.

Step 4. The ODM or its designee will conduct an investigation which will include activities such as: interviews, review of documents, files and all available evidence to make a determination as to whether laws or policies have been violated.

The ODM will initiate conciliation discussions where appropriate. The ODM will make appropriate recommendations where ambiguous or poor management practices have created the perception of discrimination.

The ODM will consult with Legal Affairs as necessary for legal advice where findings require settlement.

Step 5. The ODM will issue a written determination to the parties.

Step 6. The respondent will provide a written response to the ODM within 10 working days of receipt of the determination outlining the corrective actions that have or will be taken of those recommended by the ODM. Any disciplinary actions resulting from the ODM findings must be approved by the ODM and the AVP for OHR prior to execution of these actions.

See Frequently Asked Questions.

### 37.4.5 Reporting

Grievance activity reports will be presented to the President, SVP for Administration and Finance and the Provost. These officials may impose adverse administrative actions against departments where confirmed misconduct by management or Institute policy violations have occurred and unacceptable corrective actions have been taken. These administrative actions may include but are not limited to the following actions: required training, adjustment in merit increases awarded to management, or any further actions deemed appropriate.

Source: Office of the President. April 1,2004

# 37.5 Procedures for Handling Potential Conflict Situations Between Administrators, Faculty, and Students

## 37.5.1 Student Complaints Other Than Sexual Harassment Against a Faculty Member

### Policy

Feedback from students, whether of a positive or negative nature, should be used for the improvement of the educational programs of the Institute.

### Applicable Procedure

Students' complaints should be made in writing to the appropriate administrator such as School Director, Department Head or Provost and Vice President for Academic Affairs. However, in the case of an oral complaint, the administrator should make written notes about the nature of the complaint. Appropriate measures shall be taken to safeguard the student from retaliatory action.

The administrator promptly shall discuss the complaint with the faculty member to determine if it has merit. If the complaint is determined to have merit, it may be made a part of the personnel file of the faculty member only after discussion with the faculty member. However, the faculty member shall be given the opportunity to make his or her own written comments/rebuttal to the complaint. Such written comments by the faculty member shall be attached to the administrator's report in the personnel file.

Note: Accumulation of complaints without discussing them with the appropriate faculty member in order to use them as justification for lack of promotion or lack of salary improvement at a later time, is not permissible.

If the complaint is determined to have merit, then a plan of action to correct the cause of the complaint shall be worked out jointly between the administrator and the faculty member. Check points for a review of the situation are to be established at that time. A record of these actions shall be maintained in the personnel file of the faculty member.

If the faculty member is not satisfied with the plan of action proposed for the resolution of the student complaint, the faculty member may present the grievance to the Faculty Status and Grievance Committee.

If the student is not satisfied with the proposed plan of action jointly worked out between the administrator and the faculty member, the student may go to the next higher administrative level for review. (Assistance regarding procedures may be obtained from the Vice President for Student Affairs.)

## 37.5.2 Performance Evaluation/Salary Decisions

### Policy

Annual performance evaluations are required by the Board of Regents. Such evaluations should improve the contribution of each member of the faculty to the multiple missions of the department, College, Institute, and Regents as appropriate.

### Applicable Procedure

The criteria by which performance will be evaluated are stated in the Policy Manual of the Board of Regents and the Faculty Handbook (Section 16 et seq.). These criteria include scholarship, teaching, and service. Further refinement on specific cases may be in order, but must be communicated in writing to the faculty at the beginning of the academic or fiscal year or be in a standing unit publication. All of these publications must be specifically

brought to the attention of faculty members. Particular care must be exerted to make sure that new faculty members are alerted to these publications.

The faculty member should be asked to prepare a report which documents in writing his/her contributions in all of the areas defined as relevant to achieving the defined missions of the unit. The emphasis should be not only on activity, but also on results.

The administrator of the unit should review all of the available materials on the performance of the subject faculty member and prepare a written evaluation of the faculty member's performance for the year to be presented to the faculty member for review at the time of a performance evaluation conference between the faculty member and the administrator. After the faculty member has reviewed the administrator's evaluation, he/she must sign the evaluation acknowledging receipt but not necessarily agreement. Where the faculty member does not agree with this evaluation, he/she may prepare a detailed written response. The faculty member shall be informed of the unit administrator's written response to this new information. All documents whether generated by the administrator or the faculty member shall become part of the individual faculty member's file.

In the event that agreement between the administrator and the faculty member cannot be reached, the matter will be reviewed at the next higher administrative level, and the results communicated to the administrator and the faculty member.

At the time of the evaluation, or in a subsequent conference, the administrator and faculty member should discuss performance goals for the upcoming evaluation period. These should be summarized in writing by the faculty member with a copy to the administrator for review, acceptance, and filing.

The salary decision should be given to the individual faculty member preferably face-to-face but at a separate time following the performance review. It should follow logically from the performance review. See Faculty Handbook (Section 16 et seq.) for general Institute policy on salary determination for instructional faculty.

### 37.5.3 Promotion and Tenure -- Explanation of Rights*

**Policy**

Promotion is a reward for performance in accordance with Board of Regents and Institute standards that have been published and distributed to all member of the General Faculty. Accordingly administrators are responsible for insuring that faculty members in their units are fully informed as to these standards and the rights defined therein.

**Applicable Procedure**

The administrator of each unit should discuss with each faculty member his or her status with respect to promotion and tenure e.g., progress as to years in rank completed as compared to promotion/tenure requirements, areas where is strong, and areas where improved performance is expected in accordance with the promotion/tenure standards for the department, College, Institute, and Regents as appropriate.

Where a faculty member has adequate years in rank to be considered for promotion/tenure, the faculty member should be advised of the right to request consideration for promotion and tenure.

* See Faculty Handbook (Section 16 et seq.) for general Institute policies and guidelines for promotion and tenure of instructional faculty.

### 37.5.4 Summer Teaching*

**Policy**

Summer teaching assignments should be made in such a way as to meet the program needs of the department, to insure high quality of instruction, and within these constraints to allocate equitably the opportunities for summer

income.

**Applicable Procedure**

Any details concerning the implementation of this policy by an academic unit should be stated explicitly and should be made available in writing to each faculty member at the beginning of each academic year or appear in a standing unit publication.

As long as this general policy is applied, additional considerations may be taken into account with the general approval of the unit.

*See Faculty Handbook (Section 17.9) for Regents' policy on faculty summer salaries.

### 37.5.5 Sanctions and Allocation of Support Services

Support services are provided to enhance the teaching, research, and service programs of the department. Accordingly these services may not be denied to a faculty member as a sanction.

### 37.5.6 General Policy for Conflict Situations

Concerns and complaints should normally be addressed first to the appropriate administrator and wherever possible resolved within the administrative process.

In situations where a faculty member desires confidential advice on the handling of a complaint, seeks advice on procedures and policies or feels uncomfortable in bringing a concern directly to an administrator, then they are encouraged to discuss the situation with the Faculty Ombuds.

The Ombuds Office is a confidential resource for all faculty on the campus. Its role is that of a neutral that advocates not for a specific individual, but for equity, fair process, and compliance with institutional policy and procedure. It acts as a complaint receiver for persons who believe they have been treated unfairly, coaches to help persons independently resolve difficult situations and as facilitators or mediators in an effort to assist persons in conflict to reach fair resolutions. The Ombuds Office is a confidential, informal, impartial, neutral and non adversarial alternative for the resolution of work-related problems and concerns. A request for assistance from the Ombuds Office does not preclude the faculty member from subsequently utilizing the Georgia Tech grievance process. The Ombuds Office is not an office of notice to the University. The Faculty Ombuds Office strives to follow the standards of the University and College Ombuds Association. The Faculty who staff this Office report to the President.

The Faculty Status and Grievance Committee receives from any General Faculty member information, suggestions, grievance, or criticisms concerning any aspect of the Institute. It evaluates these and transmits constructive criticism and recommendations to appropriate individuals or committees or directly to the General Faculty. The procedures of this committee are governed by the Statutes of the Institution (See Sections 5.6.3, 10.7.5, and 14 of this Handbook).

On occasion an administrator or faculty member may feel the need for a witness to be present for the discussion of a sensitive matter. These occasions should be very rare, because the presence of witnesses may heighten tension and may indicate a lack of faith in a colleague. However, in those rare cases in which a witness is deemed necessary, there should be prior notification so the other person may also bring a witness, if he or she chooses. Alternatively, the meeting may be taped, with advance knowledge of the other party.

Source: Faculty Ombuds Program Date:10/2004

# 37.6 Anti - Harassment Policy

### 37.6.1 General

Discriminatory harassment of any person or group of persons on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, or veteran status is prohibited. Any employee, student, student organization, or person privileged to work or to study at the Georgia Institute of Technology who violates this policy will be subject to disciplinary action up to and including permanent exclusion from the Institute.

Every member of the Institute community is expected to uphold this policy. Faculty, students, and staff at all levels are responsible for maintaining an appropriate environment for study and work. This includes conducting themselves in a professional manner. Toward this end, the Georgia Institute of Technology supports the principle that harassment represents a failure in professional and ethical behavior that will not be condoned.

This policy and procedure is intended to facilitate an atmosphere in which faculty, staff, and students have the right to raise the issue of discriminatory harassment without fear of retaliation and to ensure that violations are fully remedied. No member of the of the Georgia Tech Community will be retaliated against for making a good faith report of alleged harassment or for participating in an investigation, proceeding, or hearing.

### 37.6.2 Definitions

Discriminatory harassment is unwelcome verbal or physical conduct directed against any person or group, based upon race, color, religion, sex, national origin, age, disability, sexual orientation, or veteran status that has the purpose or effect of creating an offensive, demeaning, or intimidating environment for that person or group of persons.
Sexual harassment is inappropriate sexually-oriented behavior or unwanted sexual attention of a persistent or offensive nature that sufficiently interferes with an employee’s job performance or a student’s status in an academic course, program, or activity.

Harassment must be distinguished from behavior which, even though unpleasant or disconcerting, is appropriate to the carrying out of certain instructional, advisory, or supervisory responsibilities.

One example (not intended to be exclusive) of incidents that may not be discriminatory harassment is as follows:

In an effort to complete work in a unit, supervisors often have to make difficult decisions about working conditions and arrangements in their perspective areas. These general management decisions may not please others, but they do not constitute harassment.

### 37.6.3 Examples of Sexually Harassing Behaviors

Both men and women, as well as, persons of the same gender may be either the initiators or victims of sexual harassment. Some examples of sexually harassing behaviors that are strictly prohibited include (but are not limited to):

**Physical Conduct**

- Unwelcome intentional touching, patting or pinching, etc.
- Deliberate physical interference with or restriction of movement
- “Accidentally” bumping

**Verbal Conduct**

- Oral, written or symbolic expressions that personally describe or are personally directed at a specific individual or group of identifiable individuals
- Explicit or implicit propositions to engage in sexual activity
- Comments, jokes, questions, anecdotes, or remarks of a sexual nature
- Using terms of endearment, such as, honey, babe, dear, stud, or hunk when referring to co-workers or employees

**Nonverbal Conduct**

- Displaying sexually oriented pictures or cartoons
- Using sexually oriented screen savers
- Sexually oriented notes, faxes, letters, or email

### 37.6.4 Applicable Procedures

**Bringing a Complaint:**

1. Any member of the Institute community who believes that he or she has been the victim of discriminatory harassment as defined above (the Complainant) should promptly report the matter to the appropriate institute officials within the offices designated to handle such complaints. The complaint must be brought within 60 calendar days of the most recent alleged harassing act.

2. The Appropriate Institute Offices where a complaint should be made are the Office of Diversity Management for incidents involving faculty and staff, and to the Dean of Students Office for incidents involving students or student claims.

3. The initial discussion between the Complainant and the Appropriate Institute Official will be handled with sensitivity and discretion. The Appropriate Institute Official will inquire into all reports of alleged sexual harassment brought to his or her attention.

4. During the initial meeting with the Appropriate Institute Official, a written summary of the complaint will be made and should be signed by the Complainant.

5. The Appropriate Institute Official will inform the alleged offender ("Respondent") of the allegation and of the identity of the Complainant, will provide him or her with a written summary of the Complaint and will proceed as set forth in the following section.

**Resolution of a Complaint**

1. When a Complaint is submitted, the Appropriate Institute Official will discuss the matter with the parties promptly, will notify the appropriate Dean or Vice President of the charge, and may initiate whatever steps he or she deems appropriate to affect an informal resolution of the complaint acceptable to both parties within 15 calendar days of a reported incident. If an informal resolution is reached, it will be documented in writing, approved by the Director of Diversity Management or the Dean of Students, as appropriate, and signed by the Complainant and the Respondent.

2. If an informal resolution satisfactory to the Parties is not reached within 15 calendar days after an incident is reported, or if in the sole discretion of the Appropriate Institute Official, an informal resolution is not possible; the Appropriate Institute Official will proceed with a full investigation. A report of the investigation

results along with a recommendation for resolution of the Complaint and/or disciplinary action will be made to the Associate Vice President for the Office of Human Resources and/or the Dean within 60 days of the date the investigation was initiated in the ODM. The Associate Vice President for Human Resources or the Dean of Students will initiate prompt remedial or corrective action where warranted.

Source: Office of the President. 4/2004

# 38. Conflict of Interest and Outside Professional Activity Policy

## 38.1 Introduction

State laws governing ethics and conflicts of interest are based on the premise that public employees are acting on behalf of government for the benefit of the public. As public employees of an institute serving the educational and public purposes of teaching, research, and professional service, there is an obligation to conduct research and official duties on behalf of the Institute in such a manner consistent with statutes and regulations. The avoidance of conflict of interest is vital to ensuring the integrity and objectivity in conducting and reporting research.

The purpose of this policy is:

- To set forth acceptable parameters relating to possible conflicts of interest which may arise from the outside professional activities of an Institute Employee;
- To define and establish a mechanism to reduce, eliminate, or manage a situation that may pose a real or potential Conflict of Interest;
- To ensure the integrity of research, education or business transactions of the Institute and to identify real or potential Conflicts of Interest;
- To ensure that sponsored research at the Institute is conducted in compliance with regulations promulgated by the sponsor thereof including but not limited to the National Science Foundation and the National Institutes of Health as appropriate [Ref. *NSF - Investigator Financial Disclosure Policy* http://www.nsf.gov/pubs/stis1996/iin117/iin117.txt and *NIH Guide – Objectivity in Research* http://www.gpo.gov/fdsys/pkg/FR-2011-08-25/pdf/2011-21633.pdf]; and
- To articulate activities that would be prohibited.

This policy applies to all Institute Employees, including Emeritus faculty, visiting faculty and scientists, adjunct faculty, affiliates and Tech Temps. It applies to students and trainees if they are involved in the design, conduct or reporting of research at the Institute.

Penalties for non-compliance with this policy are outlined in Section 38.6.

## 38.2 Definitions

Definitions as used in this policy, the term:

1. "Agency" means any agency, authority, department, board, bureau, commission, committee, office or instrumentality of the State of Georgia.
2. "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, trust or other legal entity.
3. “Conflict of Commitment” occurs when an Employee undertakes external commitments which burden or interfere with the Employee’s primary obligations to the Institute. Conflicts of Commitment may arise out of consulting arrangements or with an entrepreneurial interest when a faculty member is involved in a startup company.
4. "Conflict of Interest" means any situation in which:

a. It reasonably appears that a significant financial interest could affect the design, conduct, or reporting of activities funded or proposed for funding by a sponsor; or
b. The personal interest of an Employee or his or her Family may prevent or appear to prevent the Employee from making an unbiased decision with respect to the Employee's employment with the Institute.

Illustrative examples of such situations include, without limitation, the following situations:

- The Employee, or a member of his or her Family, has a significant financial interest in a business which transacts business with the Institute.
- The Employee, or a member of his or her Family, has a significant financial interest in an entity that competes or may compete with the Institute for sponsored activities.

5. "Conflict of Interest Review Committee" shall mean an advisory committee to the Executive Vice-President for Research that shall be composed of the Chief Legal Counsel, the Vice-President for Research, a representative for the student body, and a member of the general faculty appointed by the Executive Board of the Institute. In absence of a standing Committee the Executive Vice-President for Research shall appoint an ad hoc committee as dictated by the circumstance.
6. "Conflict of Interest Management Office" (COI Office) shall mean the central office designated by the Institute to review all disclosures that present actual or perceived conflicts of interest. The COI Office works with the COI Review Committee and the Responsible Unit Official to ensure that any conflicts of interest are reduced, managed, or eliminated in conjunction with federal, state, and local regulations and Institute policy.
7. "Consulting" means any professional activity related to the person's field or discipline (e.g. consulting, speaking, scientific advisory boards, paid attendance at company meetings, expert witness services, etc), where a fee-for-service or equivalent relationship with a third party exists. Consulting includes organizing or operating any educational program outside Georgia Institute of Technology.
8. "Employee" includes all Institute personnel who receive salary or wages from the Institute. Students and trainees are included if they receive pay from the Institute. Also included, by way of example without limitation, are Visiting Faculty and Scientists, Professors of the Practice, Affiliates, Adjunct Faculty, Emeritus Faculty (if they are engaged in part time work for pay), and Tech Temps.
9. "Family" means spouse or partner and dependent children [Georgia Official Code 45-10-20] and anyone who could reasonably be assumed to be family in the context of situations in which there may be the appearance of a Conflict of Interest stemming from an action of an Employee in combination with such persons.
10. "Full-time" means 30 hours or more of work for the state per week for more than 26 weeks per calendar year.
11. "Individual Conflicts" means a Conflict of Interest that arises when an Employee has the opportunity to influence research, academic or Institute decisions in ways that could lead to personal financial gain. The financial gain may be derived from owning stock in a company that is sponsoring research, from ownership interest or employment in a company that may benefit as a licensee of an invention, or from the existence or expectation of entering into a consulting arrangement with a company sponsoring research.
12. "Institute/Institution" means the Georgia Institute of Technology.
13. "Institutional Conflicts" occur when the Institute, or one of its affiliated entities such as the Georgia Tech Research Corporation, Georgia Tech Applied Research Corporation, Georgia Tech Foundation or Georgia Advanced Technology Ventures, has a financial stake in the outcome of its research programs or licensed technology. The conflict may arise out of an equity interest in a start-up that licenses technology from the Institute or in the nature of royalties to be earned from licensing such technology.
14. "Institutional Responsibilities/Institutional Obligations" means Investigator's professional responsibilities on behalf of the Institution, including for example, activities such as research, research consultation, teaching, professional practice, Institutional committee memberships, and service on panels such as Institutional Review Boards or Data and Safety Monitoring Boards.
15. "Investigator" means the project director or principal investigator and any other person, regardless of title or position, who is responsible for the design, conduct, or reporting of research, which may include, for example, collaborators or consultants. If the research involves human subjects, it includes all personnel named in the protocol submitted to the Institutional Review Board. [from NIH: *Financial Conflict of Interest* http://www.grants.nih.gov/grants/policy/coi/index.htm and from FDA: *Guidance for Industry:*

*Financial Disclosure by Clinical Investigators* http://www.fda.gov/RegulatoryInformation/Guidances/ucm126832.htm ].

16. "Part-time" means any amount of work other than full-time work.
17. "Public Official" means any person elected to state office or any person appointed to a state office where, in the conduct of such office, the person so appointed has administrative and discretionary authority to receive and expend public funds and to perform certain functions concerning the public which are assigned to him or her by law.
18. “Responsible Representative of the Institution” means the person designated by the Institute to oversee the solicitation and review of financial reporting statements from any Investigators who will be participating in Research. For purposes of this Policy, the Responsible Representative of the Institution is the Vice-President for Research or his/her designee(s).
19. "Responsible Unit Official" means the supervisor of the school, laboratory, or department of the person making a disclosure. For such supervisors, the Responsible Unit Official will be the person he or she reports to at the next supervisory level. For any other cases, it will be an individual designated by the Executive Vice-President for Research.
20. "Significant Financial Interest," as defined in current Federal Regulations, means:
    a. A financial interest consisting of one or more of the following interests of the Investigator (and those of the Investigator’s spouse and dependent children) that reasonably appears to be related to the Investigator’s institutional responsibilities:
        1. With regard to any publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds $5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;
        2. With regard to any non-publicly traded entity, a significant financial interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds $5,000, or when the Investigator (or the Investigator’s spouse and dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest); or
        3. Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.
    b. The term significant financial interest does NOT include the following types of financial interests:
        1. Salary, royalties, or other remuneration paid by the Institution to the Investigator if the Investigator is currently employed or otherwise appointed by the Institution;
        2. Intellectual property rights assigned to the Institution and agreements to share in royalties related to such rights
        3. Equity in and income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles;
        4. Income from seminars, lectures, or teaching engagements sponsored by a federal, state, or local government agency, an institution of higher education as defined in 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education;
        5. Income from service on advisory committees or review panels for a federal, state, or local government agency, or an Institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education.
    c. Investigators who receive US Public Health Service funding (e.g. NIH) or a subcontract from another entity that receives funds from a US Public Health Service funding agency, also must disclose the occurrence of any reimbursed or Sponsored Travel, related to their institutional responsibilities; provided, however, that this disclosure requirement does not apply to travel that is reimbursed or sponsored by a federal, state, or local government agency, an Institution of higher education as

defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an Institution of higher education. The disclosure must include the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration. Please refer to http://www.compliance.gatech.edu/conflicts-of-interest-gt/faq-sponsored-travel for answers to frequently asked questions.

21. “Sponsored travel” means travel expenses that are paid on behalf of the Investigator and not reimbursed to the Investigator so that the exact monetary value may not be readily available.
22. “Substantial Interest” is “the direct or indirect ownership of more than 25 percent of the assets or stock of any business.” [Official Code of Georgia 45-10-20]. An Employee, alone or in combination with Family, may not have an ownership interest of more than 25% of the assets or stock in any business which Transacts Business with the State of Georgia including the Institute. Therefore caps of 24.9% are placed on the percentage of ownership an Employee, alone or in combination with Family, may have in any business which Transacts Business with the Institute. Ownership interests below this cap may be managed as provided in this policy.
23. "Transact Business" or "Transact any Business" means to sell or lease any personal property, real property, or services on behalf of oneself or on behalf of any third party as an agent, broker, dealer, or representative and means to purchase surplus real or personal property on behalf of oneself or on behalf of any third party as an agent, broker, dealer, or representative.

## 38.3 Conflict of Interest

### 38.3.1 Entrepreneurship

The mission of the Institute includes both assuring that research conducted at the Institute benefits the public and assisting the State of Georgia in creating or retaining industry, creating jobs, and promoting economic development. The Institute recognizes that Employee participation in bringing their inventions and other results of research conducted at the Institute into public use through commercialization plays an important role in this mission. Such participation may involve creation of a new company, in which an Employee or Employees have an ownership interest, to license and commercialize such technology. The policies and procedures for licensing technology are set forth in the Intellectual Property Policy (Faculty Handbook Section 50). New companies may or may not be housed in the Advanced Technology Development Center. Companies in which Employees have such an interest may Transact Business with the Institute only after such transaction(s) are/have been reviewed by the COI Office, Responsible Unit Official, and the Conflict of Interest Review Committee, as set forth below, and any conflicts of interest are managed, reduced, or eliminated as described in Section 38.4.6.

### 38.3.2 Policy

Based on State and federal law and regulations, the following two rules will be followed as a matter of Institute policy:

1. Activities which constitute a Conflict of Interest where there is Significant Financial Interest are prohibited unless a plan to reduce, eliminate or manage the Conflict of Interest has been expressly approved in accordance with the provisions of this policy; and
2. Activities which constitute a Conflict of Interest where there is a Substantial Interest are unlawful.

### 38.3.3 Board Memberships

As an Employee of the Board of Regents of the University System of Georgia, Full-time Employees of the Institute may serve as members of governing boards of private, nonprofit, educational, athletic, or research related foundations and associations which are organized for the purpose of supporting institutions of higher education in this state and which in furtherance of this purpose may Transact Business with such institutions or with the Board of Regents of the University System of Georgia. [Official Code of Georgia 45-10-23]

## 38.4 Disclosure of Real or Potential Conflicts of Interest

### 38.4.1 Disclosure to the State of Georgia

Except as provided in subsection (b) of the Official Code of Georgia Annotated Section 45-10-26, any Public Official or Employee whether for himself or herself, or on behalf of any Business, or any Business in which such Public Official or Employee or any member of his Family has a Substantial Interest who transacts business with the state or any agency thereof, shall disclose such transactions. Such disclosure shall be submitted prior to January 31 each year to the Secretary of State on such forms as he or she shall prescribe and shall include an itemized list of the previous year's transactions with the dollar amount of each transaction reported and totaled. Such disclosure statements shall be public records. [Official Code of Georgia 45-10-26]

### 38.4.2 Disclosure to the Institution

Every Employee of the Institute, including all who participate in outside professional activities and/or sponsored research must complete an annual disclosure using the online Conflict of Interest system. In answering the questions, if an Employee has indicated an actual or potential conflict, the system will notify the COI Office for review.  Employees must update their disclosures on an ongoing basis when circumstances change.

### 38.4.3 Disclosure to Sponsors

Any person involved in the design, conduct, or reporting of research (technical and financial) or educational activities proposed for funding by a sponsor must complete the Investigator Financial Interest In Research Report via the online Conflict of Interest System disclosing any potential or actual Significant or Substantial Financial interests of the Employee (including those of the Employee's Family). (See http://ecoi.research.gatech.edu for this system.) Disclosures should include, but is not limited to:

1. Performance or business transactions related to the sponsored activity;
2. Equity interests in or fees from either the sponsor of the research or a subcontractor;
3. Intellectual property rights.

Each such Disclosure needs to be updated via the online system by the Employee during the life of any award, as new Significant or Substantial Financial Interests are recognized.

In completing a disclosure on the Conflict of Interest Online System, the Employee is certifying to the following:

> "In submitting this form I affirm that the above information is true to the best of my knowledge and I certify that I have read and understood the Conflict of Interest and Outside Professional Activity Policy as set forth in the Georgia Institute of Technology Faculty Handbook, that I have made all required disclosures, and that I will comply with any conditions or restrictions imposed by the Institute to manage, reduce or eliminate conflicts of interest."

In any proposal submitted to a potential sponsor, the Office of Sponsored Programs is responsible for certifying that the Institute has implemented a written and enforced conflict of interest policy that is consistent with the provisions of Grant Policy Manual Section 510 of the National Science Foundation, the National Institutes of Health Guide for Objectivity in Research, and other applicable sponsor regulations. In submitting the proposal, the Office of Sponsored Programs certifies that to the best of their knowledge all financial disclosures required by such conflict of interest policy have been made and that all identified conflicts of interest will have been satisfactorily managed, reduced or eliminated prior to the Institute's expenditure of any funds under the award, in accordance with the Institute's Conflict of Interest and Outside Professional Activity Policy.

### 38.4.4 Disclosure to the Institutional Review Board

Investigators submitting protocols to the Institutional Review Board (IRB) for the use of human subjects in research or other activities shall disclose any and all Significant Financial Interests that may appear to affect the design, conduct or reporting of such research. It is imperative that Investigators fully disclose to the IRB an ownership interest in any Business proposing to test any drug, device or other technology with human subjects or any potential financial interest in such technology that the Investigators, or the Investigators' Families might have. The IRB, in collaboration with the COI Office, shall conduct an independent review and may or may not impose restrictions, including denial of approval for the protocol, as it deems is in the best interest of the subjects and the Institute.

### 38.4.5 Disclosure to Students

Special care needs to be taken when dealing with students involved in research so that a potential or actual Conflict of Interest does not adversely affect their education, i.e. their ability to graduate or publish. Prior to retaining students on research projects that may involve a potential or actual Conflict of Interest, the Investigator and senior personnel will disclose to the student as well as to the COI Office and Responsible Unit Official, any interests in outside companies that may be perceived to benefit from the student's research. Should a conflict of interest exist, the COI Office, the Responsible Unit Official, the conflicted Investigator, and the Conflict of Interest Review Committee, will design a conflict management plan to manage, reduce or eliminate the conflict prior to the student's involvement in the project pursuant to the procedure provided for in Section 38.4.6.

### 38.4.6 Review of Financial Disclosures and Resolution of Conflicts of Interest

When a financial disclosure or report of a conflict of interest is made via the online Conflict of Interest module and forwarded to the COI Office, the COI Office reviews the disclosure per the COI Office Procedures.

Should an actual or apparent conflict of interest exist, the COI Office and the Conflict of Interest Review Committee will design a conflict management plan to manage, reduce or eliminate the conflict prior to the Institute's expenditure of any such funds.

In developing a management plan, the COI Office and the Conflict of Interest Review Committee will work with the conflicted Employee and with the Responsible Unit Official and will consider the relationships between the Employee and the Institute to ensure adequate conditions or restrictions are in place to manage, reduce or eliminate the conflict(s).

Such conditions may include, without limitation:

1. Public disclosure of significant financial interests;
2. Monitoring of research by independent reviewers;
3. Modification of the research plan;
4. Disqualification from participation in the portion of the sponsor funded research that would be affected by the Significant or Substantial Financial Interests;
5. Divestiture of Significant or Substantial Financial Interests; and/or
6. Severance of relationships that create actual or potential conflicts.

Conflict management plans and/or restrictions must be in writing and forwarded to the conflicted Employee and the Responsible Unit
Official(s). The COI Office and the Responsible Unit Official(s) will monitor compliance with the plan. A copy of the plan and relevant documentation will be maintained in the COI Office.

Upon recommendation by a Responsible Unit Official, the Conflict of Interest Review Committee may determine a) that imposing conditions or restrictions would be ineffective or b) that any potential negative impacts which may arise from a Significant or Substantial Financial Interest is outweighed by interests of scientific progress, technology

transfer, or the public health and welfare. In such cases, the Responsible Unit Official and the Conflict of Interest Review Committee may recommend to the Provost that the Institute allow research to go forward provided that any conflict management plan includes ongoing monthly review by the Responsible Unit Official and the Conflict of Interest Review Committee.

Notwithstanding the foregoing, nothing herein shall permit the Institute to authorize an activity that is contrary to the laws of the State of Georgia, federal regulations, or other restrictions imposed by regulation or contract by research sponsors. Furthermore, no activity involving human subjects may be authorized that has not been approved by the Institutional Review Board which in compliance with 45CFR46 may, in its sole discretion, deny such approval.

Should the Responsible Representative of the Institution find that the Institute is unable to satisfactorily manage a conflict of interest prior to the Institute's expenditure of any such funds, the Responsible Representative of the Institution shall immediately notify the COI Office and the Office of Sponsored Programs.

All determinations made or actions taken by the COI Office, and/or the Conflict of Interest Review Committee shall be in writing and together with all financial disclosures made hereunder, be maintained until at least three years after the later of the termination or completion of the award to which they relate, or the resolution of any government action involving those records. If the Investigator is engaged in any research or other sponsored activity supported by the Department of Health and Human Services including but not limited to the National Institutes of Health, the Responsible Representative of the Institution shall forward this information to the sponsor in compliance with regulation.

Written management plans must be reviewed annually or upon a change in circumstances affecting the plan and appropriate disclosures should continue during the ongoing management of any conflict.

#### 38.4.7 Conflict of Interest Training Requirements

Conflict of interest training is required for all Investigators before engaging in funded research and every four years thereafter.

## 38.5 Consulting

#### 38.5.1 Principles and General Standards

The Institute recognizes that consulting is a benefit to the institution and the General Faculty. By gaining experience working closely with companies Faculty are aware of new technical directions and innovations, therefore the Institute encourages and permits its Faculty to consult. The practice of consulting calls for the Faculty to enter the non-academic world as a professional, with special disciplinary talents and knowledge. The Institute approves of such practices and set forth below are the principles and general standards for such practices.

Consulting can provide an important means of continuing education of the Faculty and can provide them with a currency and experience in aspects of their professional field outside the context of the Institute itself. Though such attributes of consulting may make faculty better scholars and teachers, the employer/employee nature of the consulting process has in it the potential for diversion of Faculty, Staff, and student employees from their primary activities and responsibilities.

Consulting is encouraged, provided the faculty member's primary obligation to the Institute is met. The responsibility for adhering to the limit on consulting days, and other aspects of the Institute's consulting policy, lies first with the individual faculty member. Faculty members have an obligation to report, fully and currently, the level of their consulting activities. Faculty members should resolve any questions or ambiguities with the appropriate Institute official before the fact, so that the Institute community is not injured by their actions. The Institute has the

right, and indeed, the obligation, to protect itself from losses due to excess consulting.

### 38.5.2 Conflict of Commitment

The purpose of the policy on consulting and related activities is to state with both clarity and generality the limits on the time that an Institute Faculty member may spend in consulting. The limits set forth below are intended to strike a balance between consulting and regular duties within the Institute and serve to safeguard the interest of both parties. In cases of ambiguity, the primary guide should be the intention to promote the interests of the Institute as a place of education, learning, and research. It is the Faculty's obligation to obtain prior consent from the appropriate Institute officer.

### 38.5.3 Prior Approval

The Institute encourages and assists faculty members in the practice of their profession. The Institution particularly encourages Faculty to consult, providing guidelines for this type of activity. It must be recognized, however, that professional consulting activities and involvement in business ventures can result in an apparent or actual Conflict of Interest. This policy provides several principles which should be followed to avoid conflicts.

It is not possible to anticipate all types of potential outside involvements. It is, therefore, always a faculty member's obligation to obtain prior written consent from his/her School Chair or Laboratory Director, Dean, or Director of GTRI, and the appropriate Institute officer before undertaking any activities. Approval must be obtained by completing and obtaining authorization via the Conflict of Interest Online System. If the faculty member's consulting activities are related to his/her Institutional Obligations, and if the faculty member has either a Significant Financial Interest or a Substantial Interest in the outside entity with which he/she consults, the consulting activity must also be reviewed and approved by the COI Office prior to the initiation of services.

### 38.5.4 Distance Learning and Continuing Education

In the case of a faculty member organizing or generating any continuing educational program not affiliated, sponsored, or endorsed in any way by the Institute, the faculty member must obtain permission from the Dean of Professional Education via the Conflict of Interest Online System.

### 38.5.5 Use of Georgia Institute of Technology Facilities

In competing for consulting, Employees are not to take advantage of their access to Institute facilities. State law precludes Institute Employees from using State facilities or property for personal gain or benefit. The facilities and services of the Institute may not be used in connection with compensated outside work, except in a purely incidental way. This is not envisioned to exclude contracts with the Institute for the use of facilities or services such as the Computer Center or the Library or other facilities for which cost centers have been established.

### 38.5.6 Payment for Consulting

Full-time Institute Employees may not be on the payroll of other organizations except as a consultant. (Payment for services must be reported on an IRS 1099 Form, not on a W-2 form.)

Members of the faculty may, for tax liability reasons, undertake consulting assignments through a personal corporation. This is not considered a conflict of interest in and of itself. However, see the "Prohibited Activities" subsection.

### 38.5.7 Activities Not Considered "Consulting"

1. **Publication**
Scholarly communications in the form of books, movies, television productions, art works, etc. though frequently earning financial profit for a faculty member and for another party (e.g., publisher), are not viewed as consultation.

2. **Professional Service**
Service on national commissions, advisory bodies for governmental agencies and boards, granting agency peer review panels, visiting committees or advisory groups to other universities, and on analogous bodies is not considered to be Consulting. The fundamental distinction between these activities and consulting is that they are public or Institute service. Although participants may receive an honorarium or equivalent, these professional service activities are not undertaken for personal financial gain.

3. **"Moonlighting"**
Employee may pursue a variety of endeavors for financial profit that are not directly related to the person's field or discipline. These efforts are part of the faculty member's private life and do not come under Institute regulation for this consulting policy. Such endeavors may be pursued only after the primary commitment to the Institute has been fulfilled and upon prior approval from a Responsible Unit Official of the Institute.

### 38.5.8 Consulting Agreements

Consulting agreements are personal agreements between Employees and a private company. The Institute cannot provide advice to Employees regarding private matters, however Employees should carefully review such agreements to ensure the terms are not in conflict with their employment agreement with the Institute or GTRC nor in conflict with any of the Institute's policies, including but not limited to this Conflict of Interest and Outside Professional Activity Policy and the Intellectual Property Policy. Most companies require a consultant to sign a consulting agreement. Any Institute Employee who is asked to sign such an agreement should consult with his or her personal attorney for review and advice. Any consultant agreement, at a minimum, should state that the consultant is an Employee of the Institute and, as such, has commitments, responsibilities and obligations (contractual or otherwise) that must be fulfilled and may not be negatively impacted by a consulting agreement terms/conditions or actual consulting.

To avoid conflict with Institute-assigned duties, the following language is recommended as part of an Employee's consulting agreement:

> "This agreement is made subject to the understanding that Consultant is an Employee of the Georgia Institute of Technology (GIT), that he/she must fulfill certain obligations including teaching, directing laboratory operations and conducting research; and that as a result of his/her employment by GIT, GIT has certain rights to intellectual property developed by him/her and any rights conveyed hereunder shall be subject to those rights. Under no circumstances are any rights to GIT or Georgia Tech Research Corporation intellectual property conveyed hereunder. All consulting activity hereunder shall be on a non-interfering basis with normal GIT activities. Nothing contained in this Agreement shall directly or impliedly affect the obligations listed above."

### 38.5.9 The Number of Permissible Consulting Days

The maximum number of consulting days permitted for a member of the General Faculty without hourly time keeping on a 12 month or 9 month appointment is one day per week. Institute holidays are included in each thirty-nine (39) week academic year from which the thirty-nine (39) day consultation limit is derived. A limited amount of "averaging" of consulting time is permissible if, on occasion, a faculty member plans to consult for more than one day per week but no more than thirty-nine days for an academic year. Thirty-nine (39) days of consulting per academic year, or fifty-two (52) days for a calendar year of active duty, is intended to be a liberal allocation, yet

one that is fair to the Institute. Members of the General Faculty whose time and effort is accounted for through hourly timekeeping may engage in consulting only outside their normal working hours or while on leave from the Institute.

**1. Consulting During Periods of Part-Time Institute Employment**
The thirty-nine (39) day limit should be prorated for those members of the General Faculty holding part-time appointments, using the following formula: [39 X F ], where F is the fraction of full-time duty, thirty-nine (39) represents the average number of academic weeks per year. Thus, a faculty member holding a seventy-five (75%) appointment is permitted up to twenty-nine (29) days of consulting per academic year for the 75% time commitment to the Institute.

**2. Consulting During the Summer Term or During Periods of Leave Without Salary**
Faculty members on nine-month appointments with no salary supplement for the Summer Term (or other off-duty period) are not subject to the one day per week limit during that semester. Nor does the limit apply to faculty members on leave without salary. If the faculty member receives a salary for full-time service during the Summer Term, the regular one day per week (or thirteen-days for Summer Term) consulting limit shall apply.

**3. Consulting While on Study Leave**
The purpose of study leave is to permit faculty members to take time off from normal Institute duties to advance their scholarly interests so that they may return to their posts with renewed vigor, perspective, and insight. A faculty member on study leave receiving full-time Institute salary may consult up to the regular one day per week during the period of sabbatical.

### 38.5.10 Consulting Services for Other State Offices

As a general rule Employees of the Institute may not receive compensation for services performed for other state offices. [Official Code of Georgia 45-10-20]

Employees of one State agency may teach or work as consultants for another state agency provided the work falls within one of the following classifications and provided the conditions stated below are met.

Employees of one state agency may teach or work as consultants for another state agency if the transaction involves part-time employment by the state agency seeking consulting services of a chaplain, fireman, any person holding a doctorate or master's degree from an accredited college or university, a licensed physician, dentist, psychologist, registered nurse or a licensed practical nurse, or veterinarian.

The chief executive officer of the department or agency desiring to obtain the services of a person falling within the class of exceptions shall certify in writing the need for the services and shall set forth why the best interest of the state will be served by obtaining the part-time services of such a person in lieu of obtaining such services from a person not presently employed by the State.

The chief executive officer of the department or agency employing the person in the class of exceptions shall certify in writing that the person whose services are desired is available to perform such services, that the performances of such services will not detract nor have a detrimental effect on the performance of the person's employment, and, where appropriate, that the part-time employment of this person will be in the best interest of the State.

The two departments or agencies involved will then agree on the procedures under which the Employee shall perform the additional services. The agreement shall specify the means of employment, whether as a part-time employee or as a consultant, the compensation, and other pertinent details and conditions of the employment relationship. The agreement may be terminated at any time by either of the parties to the agreement.

## 38.6 Penalties

Any Employee who violates this policy shall be subject to disciplinary action up to and including dismissal.

There are also sanctions under State law [Official Code of Georgia Section 45-10-28] as described in the following paragraphs.

Any appointed public official or Employee who violates Official Code of Georgia Annotated Section 45-10-23 ("Full-time employees prohibited from transacting business with own state agency; exception to prohibition for Board of Regents employees"), Section 45-10-24 ("Part-time public officials with state-wide powers prohibited from transacting business with any state agency; part-time employees prohibited from transacting business with own state agency; exceptions to prohibitions"), or Section 45-10-26 ("Public officials and employees to file yearly disclosure statements concerning business transactions with state; statements to be public records") shall be subject to:

- Removal from office or employment;
- A civil fine not to exceed $10,000.00; and
- Restitution to the state of any pecuniary benefit received as a result of such violation.

Any business which violates Code Section 45-10-23, 45-10-24, or 45-10-26 shall be subject to:

- A civil fine not to exceed $10,000.00; and
- Restitution to the state of any pecuniary benefit received as a result of such violation.

## 38.7 Institutional Conflicts

Institutional Conflicts occur when the Institute has a financial stake in the outcome of its research programs or licensed technology. The Conflict may arise out of an equity interest in a start-up that licenses technology from the Institute or in the nature of royalties to be earned from licensing such technology. For example, the Institute may benefit from Georgia Tech Research Corporation’s equity in licensees, as equity is often taken in lieu of royalties or other license fees, this may create Institutional Conflicts for several reasons:

1. Owners of equity may cash out prior to product going to market, creating a situation under which the Georgia Tech Research Corporation may have an enhanced position relative to other shareholders;
2. The equity interest could have substantial value if the technology is successfully commercialized, creating a more apparent conflict.

Georgia Tech Research Corporation should be permitted to take stock in Licensee Companies that do not have the financial resources to make full license payments but, as with Employees, Georgia Tech Research Corporation must avoid the appearance of Conflicts of Interest in research programs, education, or business transactions. Therefore equity should not be held in significant amounts to confer management power in companies, and ownership interests in companies should be disclosed.

Review and approval may be provided by the Conflict of Interest Review Committee.

Source: Conflict of Interest Management Office and Statutes Committee. 4/2012

# 39. Public Service Programs

## 39.1 Distance Learning and Professional Education (DLPE)

DLPE provides educational support, marketing and sales, as well as event and financial services to enable Georgia Tech's faculty to deliver their world-class educational programs (non-credit, distance-delivered MS programs, as well as undergraduate and graduate courses to GTL and GTREP) to students on the Georgia Tech campus, in the Southeast, the nation and the world. DLPE is housed in the Georgia Tech Global Learning & Conference Center in Technology Square.

## 39.2 Distance Learning

DLPE provides a way for working professionals to enroll in Georgia Tech courses that can be applied toward a master's degree in Aerospace Engineering, Building Construction & Integrated Facility Management, Civil Engineering, Electrical and Computer Engineering, Environmental Engineering, Industrial and Systems Engineering, Mechanical Engineering, Medical Physics, and Operations Research, or can be used for professional development. The Georgia Tech distance learning program allows individuals to advance professionally and to stay on the cutting edge of their area of specialty. DLPE provides credit and non-credit courses at a distance via the Internet (video-on-demand), satellite delivery, teleconferencing, statewide networks, CD-ROM, and DVD, and microwave transmission.

DLPE services must be utilized for registering and tracking participation in all Georgia Tech master's-level credit courses offered at a distance to working professionals either for academic credit or for professional development. DLPE services may also be utilized for other Georgia Tech courses offered at a distance. DLPE provides various levels of production support depending on the needs of the academic unit.

### 39.2.1 Distribution of Revenue

Tuition charged for Georgia Tech master's-level courses offered at a distance is approved by the Georgia Board of Regents and is the same for all participants, regardless of residency status. A percentage, as determined by the Provost, of the tuition received for a distance learning course is transferred to the academic department of the faculty member offering the course. The unit may utilize these funds as desired, but is encouraged to allow the faculty member teaching the course to utilize the funds in recognition of the extra work required to serve the distance learning students. The remainder of the tuition remains with DLPE to cover the costs for delivering and supporting the course.

Revenue distribution for other multimedia courses offered at a distance that are not commercially licensed shall be determined in advance of the course offering and should be commensurate with the amount of work provided and the risk taken by each entity involved. Courses that are commercially licensed are subject to GIT Intellectual Property policies.

## 39.3 Professional Education

The Department of Distance Learning and Professional Education assists faculty/administrators with planning, marketing, accounting, facilitating of professional education programs, and in meeting state requirements for tracking participation in professional education programs. Assistance is provided with both open enrollment and contract programs, offered on campus and at remote sites. Advance approval must be obtained for all continuing education programs using the DLPE Program Proposal Routing Sheet.

In light of the faculty's priority commitment to high quality educational programs at GIT, faculty participation in the creation and delivery of short courses sponsored by organizations outside of GIT will only be permitted with the prior written consent of the faculty member's School Chair or Laboratory Director and the Vice-Provost of Distance Learning and Professional Education.

Examples of non-Georgia Tech short course involvements for which approval might be given include, but are not necessarily limited to:

- Teaching one-half day or less in a short course offered by another university.
- Teaching in a short course run by a professional society that is a part of a series with a long history.

DLPE's services must be involved in all GIT non-credit courses, conferences, seminars, workshops, and institutes, both on and off campus, in which participants are charged a registration fee, to ensure that participation is properly recorded. The level of services provided is worked out with the units offering the course according to an established schedule of fees.

Georgia Institute of Technology is required by the University System of Georgia, and by the Southern Association of Colleges and Schools, to report all activities which qualify for Continuing Education Units (CEUs), e.g., short courses, contract courses, and conferences. All candidate activities are to be reported to DLPE.

Faculty members who are approved to organize a course or conference through an outside organization are required to submit copies of the participant roster, agenda, and brochure to DLPE to enable Georgia Tech to report CEUs to the Board of Regents whenever possible and appropriate.

#### 39.3.1 Extra Compensation

When faculty, administrators, or graduate students participate in conducting Professional Education programs, they are eligible to receive extra compensation for time spent in instruction, laboratory supervision, design, marketing, coordination, evaluation, and other administrative effort at rates determined by the offering unit(s). Extra compensation may be paid to a Georgia Tech faculty member/administrator only if the official form is submitted through the DLPE and approved by the appropriate administrators. All requests for payment of extra compensation are to be submitted within one week after the end of the program to facilitate final accounting.

#### 39.3.2 Credit for Reappointment, Promotion, and Tenure

Instructional faculty members are encouraged to cite and document participation in Department of Distance Learning and Professional Education programs to support their representations of teaching, creativity, or service activities when being reviewed for reappointment, promotion, and tenure. If included under the category of teaching, instructor evaluations from program attendees are to be included in the documentation.

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Source: Director, Distance Learning and Professional Education.  Date 11/2005

## 39.4 International Education

Georgia Tech offers programs and provides services and resources to support a variety of international activities including support for the international teaching and research activities of the faculty, study abroad, hosting international students and scholars, and the fostering of internationally-themed events on campus. The Office of International Education (OIE) is dedicated to supporting faculty efforts to facilitate international education at Georgia Tech in five key areas:

1. Faculty Development. First and foremost, we are a resource for faculty development in the international arena including information about international scholarships and fellowships for overseas study/sabbaticals as well as for international programming, opportunities and possible support for short international study trips, facilitation of the establishment of linkages with colleagues in universities overseas, assistance with international travel to participate in international conferences and symposia, and assistance with the development of, and funding for, international symposia and/or conferences that might be held here on our campus.

2. Assistance to faculty in the development of study abroad programs for undergraduate and graduate students
3. Assistance with all aspects of bringing international students or scholars to study and/or conduct research in faculty labs.
4. Support for, and assistance in the planning of, efforts to internationalize Georgia Tech including revisions to the curriculum to offer more international/global courses or to add international content to existing courses; to develop, and solicit funding for, international programs and collaborative international research projects. In addition, we would welcome opportunities to assist with international/cultural activities on our campus that would enhance the integration of, and appreciation for, the diverse cultures represented on our campus.
5. The Office of International Education serves as a resource for possible sources of external funding to support projects in any of the above areas.

Further information is available at the OIE website: http://www.oie.gatech.edu or by contacting the Office of International Education, Savant Building, Suite 211; (404) 894-7475; info@oie.gatech.edu.

## 40. Policy Regarding Software Piracy

Georgia Tech is both a major licensee and also a licensor of computer software. As a consumer, we use thousands of software products ranging from off-the-shelf microcomputer packages to mainframe operating systems and applications costing thousands of dollars. As a producer, we license to others several products which bring in significant annual revenues, part of which is returned to authoring faculty members through a generous compensation system.

Virtually all of these software products are licensed to the user under the copyright laws of the United States. The unauthorized duplication, operation on machines other than for which licensed, or other "piracy," is a violation of Federal law, and may expose the individual and the Institute to legal processes. Commercial software vendors are becoming increasingly aggressive in enforcing their rights under the copyright laws.

It is the policy of Georgia Tech that the copyright laws will be obeyed in all instances. The practice of illegally using or copying software will not be condoned, officially or unofficially, by any Georgia Tech official, and is not to be indulged in by any member of the Georgia Tech community. Those in positions of authority are expected to discourage software piracy in the strongest terms. No institutional support can be expected nor provided to those who violate such software licenses.

Cost may not be used as an excuse. Departments and Schools should ensure that funds are made available to purchase legally the software necessary to perform required functions. We expect those who license software from us to pay for value received; we expect that they will follow the letter of the law and compensate us for their use of our products. We can ask no less of ourselves as users.

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Source: Vice President for Research and Graduate Programs.
Date: 8/1996

## 41. Trademark Management

### 41.1 Introduction

The use of Georgia Tech's name, graphic symbols, and logos (known collectively as the "marks" of the Institute) is governed by the Office of Institute Communications and Public Affairs (ICPA).

The policies and programs described herein do not represent the trademark programs of other corporations affiliated with Georgia Institute of Technology, such as the Georgia Tech Alumni Association, Georgia Tech

Research Corporation, Georgia Tech Athletic Association, or others. If there is any question about whether some name or symbol connected with Georgia Tech might be registered or copyrighted by any of these agencies, inquiries should be made through both the U.S. Patent and Copyright Office and Georgia Tech's Office of Institute Communications and Public Affairs.

## 41.2 Authority

The marks of the Georgia Institute of Technology are properties of the University System of Georgia. The University System has authorized the Georgia Tech Foundation, Inc. to register these marks and manage their applications on behalf of Georgia Tech and the University System. This authority includes the licensing of commercial and promotional uses of the marks and collection of royalties for the benefit of Georgia Tech. The authority also covers control of any other uses of the marks, such as in fund-raising programs, in names of business enterprises, and in advertising and promotional programs of various businesses and organizations.

Georgia Tech's Trademark Management Program is operated by the Office of Institute Communications and Public Affairs on behalf of the Georgia Tech Foundation.

## 41.3 Purpose of the Program

Georgia Tech's marks are used to identify the Institute and its various programs, services, documents, publications, and products. The main purpose of the Trademark Management Program is to ensure that the marks are used appropriately, in good taste, and with quality reproduction. Likewise, the program seeks to avoid misrepresentations of the Institute to the public.

Georgia Tech's marks should not be used in ways that imply the Institute's endorsement of commercial products or services, or endorsement of causes or organizations not a part of the Institute. Further guidelines for the use of each mark, including standard colors, may be obtained on request from the Office of Institute Communications and Public Affairs.

Another objective of the program is to collect royalties on commercial /promotional applications of the marks, so that Georgia Tech shares in the revenues of enterprises that use Tech's marks. This objective is achieved through a licensing program that governs commercial/promotional applications.

## 41.4 Internal Use of Marks

All organizational units of the Institute are encouraged to use the officially registered marks for identification and decoration purposes on stationery, business cards, reports, signs, flags, uniforms, and other materials. For such customary applications no approval is required. Student groups also are encouraged to use the Institute marks, but should obtain permission in advance from ICPA. Camera-ready graphics are available through the Office of Institute Communications and Public Affairs.

Any intended use for the following purposes must be approved in advanced by the Office of ICPA:

- Fund raising;
- Selling products or services;
- Alterations to the logos; or
- Promoting political ideologies or candidates.

For example, faculty and staff members who engage in consulting work should not use the Georgia Tech name or other marks in ways that would imply that their services or business ventures are officially connected with or endorsed by Georgia Tech, unless the specific use has been approved in advance. Products displaying Georgia Tech marks should not be marketed without prior approval. Approval of such uses of Tech's marks will normally involve a licensing agreement.

For more information on Trademark policies visit http://licensing.gatech.edu/.

### 41.5 Uses by Entities Outside Georgia Tech

Any individual, organization, agency, or company not a part of the Institute that wishes to use a registered Institute mark must apply in advance for permission and, in most cases, must obtain a licensing agreement from the Office of Institute Communications and Public Affairs or from its licensing agent.

### 41.6 Use of Funds

The net revenues to the Georgia Tech Foundation from the Trademark Management Program are used for undergraduate scholarships and student development. These funds are administered by the Georgia Tech Licensing Committee and are allocated for scholarships, internships, and awards on an annual basis.

### 41.7 Illustration of Marks

The accompanying list and referenced illustrations display only the marks covered under the Trademark Management Program as of the date of publishing this Handbook or referenced web sites. Other marks may be added after that date.

#### 41.7.1 Federally Registered Names

- Georgia Institute of Technology;
- Georgia Tech;
- Tech (state registration only);
- Yellow Jackets;
- Ramblin' Wreck;
- The Whistle;
- The Technique;
- The Blueprint;
- GTEL (Georgia Tech Electronic Library); and
- Buzz.

#### 41.7.2 Federally Registered Marks

Please visit http://licensing.gatech.edu/logostrademarks.html.

Source: Institute Communications and Public Affairs. Date: 8/2003

## 42. Corporate Liaison Program

The Corporate Liaison Program, established in 1981, is Georgia Tech's mechanism for managing and supporting intensive interaction with companies interested in Tech's research, students, and faculty. The program helps structure a special relationship by bringing the company's personnel into direct and frequent contact with Georgia Tech's personnel. Through such contact, information about research programs and new developments is exchanged; the needs of business are made clear to the faculty and students, and the corporation's image is projected and enhanced on campus in the areas of greatest interest to the participating company.

Participation in the Corporate Liaison Program is effected through a membership contribution of not less than $20,000 *per annum* to the Georgia Tech Foundation, Inc., a tax-exempt 501(c)3 organization. The membership fees are partially allocated to faculty and staff members and their component organizations participating in the Corporate Liaison Program. For additional information, contact the CLP Office at (404) 894-7488.

Source: Vice President for External Affairs. Date: 8/1996

## 43. Solicitation, Acceptance, and Processing of Gifts

Support from private sources is becoming increasingly important to the continuation of the quality instruction, research, and service functions that are a trademark of the Georgia Institute of Technology. The Office of External Affairs is eager to promote and assist in the successful solicitation of the private sector.

All Deans, School Directors, Department Heads, faculty, and staff initiating attempts to obtain gifts or private, non-contractual grants should coordinate their efforts with the Office of External Affairs, through the Office of Constituency Research. Such coordination should begin *before making formal contact* with a new funding source and continue on a regular basis for those individuals and organizations that provided support previously.

Prior to the formal submission of written proposals to private funding sources, (i.e., individual, private foundations, corporations, or corporate foundations) the Transmittal Form for Private Gift Proposals should be approved through the appropriate administrative channels.

The Vice President for External Affairs is also the Georgia Tech official authorized to accept all gifts made in support of the Institute, its parts, and those affiliated organizations that raise funds in Georgia Tech's name. This authority includes gifts of equipment and other property as well as cash and securities. Such acceptance of most gifts offered will be routine; however, gifts which may obligate the Institute beyond the approved budget or program of a College, School, or Department should be discussed in advance with the Vice President for External Affairs.

All gifts to Georgia Tech will be acknowledged by the Vice President for External Affairs or his designee. Other acknowledgments are strongly encouraged. Copies of acknowledgments will be distributed to the proper offices.

It has been the policy to encourage donors to make all gifts for academic purposes to the Georgia Tech Foundation, Inc., rather than to the Institute proper. Anyone soliciting support for the programs at the Institute should request that the donation be made to Georgia Tech Foundation, Inc. rather than to the Institute.

All checks or securities intended as donations to Georgia Tech and payable to Georgia Tech Foundation, Inc. should be forwarded with the original letter of transmittal promptly to the Office of External Affairs--Gift Receipts. All checks or securities payable to the Institute should be forwarded to the Bursar's office for further handling. Contributions intended for the Foundation but made payable to the Institute or one of its units may be transferred to the Foundation on receipt of written documentation of the donor's intent.

Exceptions to the policy of making all gifts to the Georgia Tech Foundation, Inc., include donations of: (a) instructional and research equipment; and (b) books and other library materials. Donors should make these gifts directly to the Institute. The Vice President for External Affairs (Gift Receipts) should receive all documents regarding gifts of equipment, including the original letter of transmittal, as well as tax forms and other documents requiring signatures. The Vice President for External Affairs and the Dean and Director of Libraries should receive all documents regarding gifts of books and other library materials.

Source: Vice President for External Affairs. Date: 8/1996

## 44. Travel Regulations

Travel Regulations can be found in the Georgia Tech Administrative Policies and Procedures Manual under Business and Finance, Section 6.0 Travel via http://www.admin-fin.gatech.edu/business/.

Source: Office of Planning, Business, and Finance. Date: 8/2003

## 45. Disruptive Behavior

The following is the policy of the Board of Regents regarding disruptive behavior in any institution of the University System. Any student, faculty member, administrator, or employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, or public service activity, or any other activity authorized to be discharged or held on any campus of the University System is considered by the Board to have committed an act of gross irresponsibility and shall be subject to disciplinary procedures, possibly resulting in dismissal or termination of employment.

Source: (BR Minutes, 1968-69, pp. 166-168; 1970-71, p. 98)
****The Policy Manual of the Board of Regents*, Section 12.2.

## 46. Educational Guidelines and Evaluation

### 46.1 Academic Program Review

**The Policy Manual of the Board of Regents, Fall 2009, Section 3.6.3.

The Institute shall conduct academic program reviews on a periodic basis. Consistent with efforts in institutional effectiveness and strategic planning, the Institute shall develop procedures to evaluate the effectiveness of its academic programs through a systematic review of academic programs, to address the quality, viability, and productivity of efforts in teaching and learning, scholarship, general education (undergraduate programs), diversity, educational and administrative support services in addition to the program's research, and community/public service as appropriate to the Institute's educational mission. Each degree program at all levels (bachelors, masters, and doctoral) must have published intended student learning outcomes, and measurements must be made and records kept to show whether students actually achieve these outcomes. The review of academic programs shall involve analysis of both quantitative and qualitative data, and the Institute must demonstrate that it makes judgments about the future of academic programs within a culture of evidence concerning outcomes.

The cycle of review for each undergraduate academic program shall be no longer than seven years and for each graduate program no longer than ten years. Programs accredited by external entities may not substitute such reviews under external processes for the Institute's program review. Academic units should work with the Office of Program Review and Accreditation to compare the requirements of the external accreditation organization and those of the USG-BOR as well as SACS to develop a review that will address all areas for the institutional program review. If an external accreditation entity's review cycle for undergraduate programs is ten years, the ten-year review cycle may be used for that program only. No program review cycle at any level shall exceed ten years.

The Institute must submit a plan and updates to its plan to the USG Office of Academic Affairs for the conduct of a complete cycle of program review. The Institute shall conduct program reviews according to the terms of its approved plan, with annual updates and requests for changes to the plan as necessary.

Planning and conduct of academic program reviews shall be used for the progressive improvement and adjustment of programs in the context of the Institute's strategic plan and in response to findings and recommendations of the reviews. Adjustment may include program enhancement, maintenance at the current level, reduction in scope, or, if

fully justified, consolidation or termination. Actions taken as the result of reviews and strategic plans shall be documented as provided below.

The Institute shall maintain a Web site to store all materials associated with academic program reviews. Access to the site will be provided to Institute curriculum committee members, staff of the USG Office of Academic Affairs, and SACS reviewers designated to perform a review of completed program review documentation. The site shall include a list of academic programs reviewed and a summary of findings for programs reviewed during the previous year. The institution must summarize actions taken both as the result of current reviews and as follow-up to prior years' reviews. For each review, the Institute must establish that the program has undergone review and is meeting rigorous standards. The report must identify (1) quality, viability, and productivity parameters measured, and (2) findings relative to internal standards, the institution's strategic plan, and, as appropriate, external benchmarks.

The USG Office of Academic Affairs shall monitor annually a small number of performance indicators for academic programs and shall initiate dialogue with the Provost of the Institute when programs do not meet the guidelines defined by the indicators. If further investigation justifies additional study, the Institute may be asked to conduct an off-cycle review of such programs.

### 46.1.1 Annual Assessment Updates

To support the Institute's commitment to academic program assessment, all degree programs send in a summary of their student assessment activities, findings, and subsequent actions via annual assessment updates. These are maintained and archived by the Office of Assessment for use throughout the Institute.

### 46.1.2 Program Review Organization

Each year the Executive Board shall review and approve the list of units and programs that are due for review. The list will first be coordinated with the Associate Deans of each college by the Office of Program Review and Accreditation. Once approved by the Executive Board, the Office of Program Review will prepare the annual program review guidelines, letters of notification to affected units, and conduct the planning meetings with each college Dean's faculty and staff prior to the start of the review process. Each review will consist of a departmental self evaluation and an external evaluation and report. All written results are then conveyed to the Undergraduate and Graduate Curriculum Committees to perform an evaluation and make recommendations to the Executive Board and to the academic faculty, in accordance with Sections 5.6.7 and 5.6.8.

## 46.2 Teaching Evaluation and Support

The Institute is committed to the highest standards in teaching and strives to constantly improve in teaching effectiveness.

All faculty (whether permanent or temporary, full-time or part-time) are regularly evaluated for their teaching effectiveness, in a manner consistent with Section 19. Support is provided for professional development in teaching through each college and through the Institute's Center for the Enhancement of Teaching and Learning (CETL). CETL provides services in classroom evaluation, faculty teaching development seminars, retreats, and fellowships, as well as recognition through a number of awards. The center also provides new faculty with an orientation to teaching at the Institute.

### 46.2.1 Graduate Student Teaching Evaluation and Support

Each college or unit that assigns a graduate student to teach a class, recitation section, or laboratory section as the instructor of record shall ensure and maintain documentation that this individual holds a master's degree in the discipline of the course or has received 18 graduate-level semester hours of credit in the discipline of the course. Said graduate student shall be directly supervised by a faculty member experienced in the discipline of the course.

In accordance with Regents' policies (8.3.5.2) each college making such assignments shall have written

procedures to (a) provide appropriate training to support and enhance each individual's teaching effectiveness, (b) conduct regular assessments, based on written procedures and including results of student and faculty evaluations, of each individual's teaching effectiveness and performance, and (c) assess competency in English and, if needed, provide for training in English language proficiency.

Source: Statutes Committee. Date: 2/2004

## 46.3 Examinations and Quizzes

In all courses students should receive some performance evaluation prior to the end of the fifth week of the term. For all classes numbered 1000 and 2000, this is formally done through progress report grades, as covered in Section 46.4.

The following policy applies only to Standard Terms. Quizzes and tests may not be given during the week preceding final exams. No final exam will be given earlier than final exam week under any circumstances. All quizzes and tests must be graded and returned on or before the last day of class preceding final exam week.

Each regularly scheduled lecture course of the Institute shall have a final examination which is to be administered at the time specified in the official final examination schedule as distributed by the Office of the Registrar.

A change in the period for a final examination for an individual student will not be permitted, ordinarily; but such change may be allowed for hardship cases at the discretion of the instructor. The request for a change must be justified in writing by the student and should be submitted to the instructor prior to final examination week.

Requests to change a class examination time must be submitted to the chief academic officer of the department of instruction for approval or disapproval no later than one week before the beginning of final examinations. Any such request must have unanimous approval of the class as shown by secret ballot, as well as approval by the instructor of the class.

In courses such as seminars and laboratories not lending themselves to final examinations, the decision to give or not to give a final quiz should be made by the person in charge of the course. An announcement of policy should be made to the class at its first meeting.

In the event a student has two examinations scheduled for the same period, the conflict shall be resolved by the course having the lowest number being considered in conflict. The final examination in that course shall be given during the conflict examination period or, by agreement of the instructor and the student, at a mutually satisfactory time.

In the event a student is scheduled for three examinations in one day, that examination scheduled for the middle period shall be considered in conflict and the conflict shall be resolved by making the examination given during the conflict period or at some time mutually agreed upon by the instructor and the student.

## 46.4 Progress Report Grades

Progress Report grades of "S" or "U" will be submitted to the Registrar on all classes numbered 1000 and 2000 each semester prior to midterm – typically on the sixth week of Fall and Spring semesters and the fifth week of the Summer semester. A Progress Report grade of "U" indicates a performance level of "D" or lower. These are not permanent grades and never appear on a transcript but are issued to help students assess where they are in their class work and obtain academic help from the faculty and the many academic support services available on campus.

Source: Approved by Academic Senate. Date: 10/2005

## 46.5 Academic Rights and Responsibilities

The Georgia Institute of Technology has embraced the ideas presented in the American Council on Education "Statement on Academic Rights and Responsibilities" as published on 23 June 2005.

In accordance with other sections of the Faculty Handbook, academic decisions impacting students and faculty (including grades, promotion, and performance evaluations) shall be consistent with the mission of Georgia Institute of Technology and based on considerations that are intellectually relevant to the subject matter under consideration. At no time shall students or faculty be disadvantaged or evaluated on the basis of their political opinions.

Any grievance based on an alleged incident shall follow the appropriate procedure outlined elsewhere in the Faculty Handbook

## 46.6 Maintaining Academic Honesty

A brochure outlining academic conduct rules, ideas on preventing academic dishonesty, and procedures on how to handle cases involving academic dishonesty, if they occur, is distributed to all faculty annually.

Source: Undergraduate Curriculum Committee. Date: 8/1996

## 46.7 Georgia Institute of Technology Academic Honor Code

### Article I: Honor Agreement

Having read the Georgia Institute of Technology Academic Honor Code, I understand and accept my responsibility as a member of the Georgia Tech Community to uphold the Honor Code at all times. In addition, I understand my options for reporting honor violations as detailed in the code.

### Article II: Honor Code

### Section 1. Statement of Purpose

The members of the Georgia Tech Community believe that a fundamental objective of the Institute is to provide the students with a high quality education while developing in them a sense of ethics and social responsibility. We believe that trust is an integral part of the learning process, and that self discipline is necessary in this pursuit. We also believe that any instance of dishonesty hurts the entire community. It is with this in mind that we have set forth an Academic Honor Code at Georgia Tech.

### Section 2. Objectives

An Honor Code at Georgia Tech aims to cultivate a community based on trust, academic integrity, and honor. It specifically aims to accomplish the following:

- Ensure that students, faculty, and administrators understand that the responsibility for upholding academic honesty at Georgia Tech lies with them;
- Prevent any students from gaining an unfair advantage over other students through academic misconduct;
- Ensure that students understand that academic dishonesty is a violation of the profound trust of the entire academic community;
- Clarify what constitutes academic misconduct among students at Georgia Tech and what is expected of

them by the Institute, the faculty, and their peers;
- Cultivate an environment at Georgia Tech where academic dishonesty is not tolerated among the students;
- Secure a centralized system of education and awareness of the Honor Code.

## Section 3. Student Responsibilities

Students are expected to act according to the highest ethical standards. The immediate objective of an Honor Code is to prevent any students from gaining an unfair advantage over other students through academic misconduct. The following clarification of academic misconduct is taken from Section XIX, Student Code of Conduct, of the Rules and Regulations portion of the Georgia Institute of Technology General Catalog:

Academic misconduct is any act that does or could improperly distort student grades or other student academic records.

Such acts include but need not be limited to the following:

- Possessing, using or exchanging improperly acquired written or verbal information in the preparation of any essay, laboratory report, examination, or other assignment included in an academic course;
- Substitution for, or unauthorized collaboration with, a student in the commission of academic requirements;
- Submission of material that is wholly or substantially identical to that created or published by another person or persons, without adequate credit notations indicating authorship (plagiarism);
- False claims of performance or work that has been submitted by the claimant;
- Alteration or insertion of any academic grade or rating so as to obtain unearned academic credit;
- Deliberate falsification of a written or verbal statement of fact to a member of the faculty so as to obtain unearned academic credit;
- Forgery, alteration or misuse of any institute document relating to the academic status of the student.

While these acts constitute assured instances of academic misconduct, other acts of academic misconduct may be defined by the professor.

Students must sign the Honor Agreement affirming their commitment to uphold the Honor Code before becoming a part of the Georgia Tech community. The Honor Agreement may reappear on exams and other assignments to remind students of their responsibilities under the Georgia Institute of Technology Academic Honor Code.

## Section 4. Faculty Responsibilities

Faculty members are expected to create an environment where honesty flourishes. In creating this environment, faculty members are expected to do the following:

- Make known to their class as specifically as possible what constitutes appropriate academic conduct as well as what comprises academic misconduct. This includes but is not limited to the use of previously submitted work, collaborative work on homework, etc.
- Provide copies of old exams or lists of sample questions to the Georgia Tech library for students to review.
- Avoid the re-use of exams.
- Include a paragraph containing information about the Georgia Tech Academic Honor Code on the syllabus for each class they teach.

Report instances of academic dishonesty to the office of the Vice-President for Student Services. In addition to the expectations listed above, it is recognized that faculty have the authority to superimpose their own interpretations on some aspects of academic conduct including, but not limited to, the following:

- Old exams for use during open-book exams;
- Contents of formula sheets allowed on exams;
- Use of calculators on exams;

- Collaboration on out of class assignments;
- Use of previously submitted out of class assignments.

## Article III: Honor System

### Section 1. Governing Bodies

The Georgia Institute of Technology Academic Honor Code recognizes the present bodies given the power to enforce the academic regulations of the Institute. The Honor Code recognizes the Office of the Dean of Students to be the principal administrator to enforce Institute disciplinary measures as presently specified in Article XIX, Section B, of the Rules and Regulations portion of the current Georgia Institute of Technology General Catalog.

The Honor Code also recognizes the Student Honor Committee as that body given jurisdiction to hear all cases of alleged academic misconduct as currently specified in Article XIX, Section B, of the Rules and Regulations portion of the current Georgia Institute of Technology General Catalog.

### Section 2. Reporting Honor Code Violations

In order for an Honor Code to function, members of the Georgia Tech Community must not tolerate violations of if by anyone. Community members are at their discretion to use any of three options to report suspected Honor Code violations:

A student may simply desire to confront the fellow student with the perceived infraction. While this option is the most likely to enact widespread change in attitude and behavior among students (because violators would understand that they are violating the trust of their peers and not some abstract body of people), it is still expected that an alleged violator will be reported to the Vice-President of Student Services.

A student may choose to approach the professor of the class in which the alleged infraction occurred and seek his or her input on how to proceed. A result of a conference of this type would be the professor's awareness that the alleged violator needs closer monitoring to ascertain reasonable certainty of guilt before being reported to the Vice-President of Student Services.

A student may choose to seek the advice of an Honor Advisor (see Article III., Section 3, below). Meetings with Honor Advisors shall address issues of policy and procedure only. Specifics of an individual case are not to be discussed. After a consultation with an Honor Advisor, a student may choose to submit a formal accusation of academic misconduct to the Vice-President for Student Services.

### Section 3. Student Honor Advisory Council

Students composing the Student Honor Advisory Council are to become well versed in all aspects of the Georgia Institute of Technology Academic Honor Code and the procedures for reporting an honor violation as well as those procedures for the trying of cases of suspected academic misconduct before the Student Honor Committee. The Council is to act as an information resource to all members of the Georgia Tech Community on issues related to the Honor Code.

A. Membership

Members are to be selected by the Vice-President of Student Services or a designee of the Vice-President of Student Services. Members must be full-time students at Georgia Tech and must be in good academic standing. Once a member of the council, the student shall serve until he or she graduates, unless he or she resigns or is impeached. Impeachment procedures are to be specified in the rules and/or bylaws of the Honor Advisory Council. Membership shall be composed of no less than fifteen (15) students at any given time.

B. Duties and Responsibilities

To serve in an advisory capacity to any student(s) wishing to report an honor violation or any student(s) being accused of committing an honor violation. To continually educate and maintain awareness among the Georgia Tech Community regarding the Honor Code. To limit discussion with students to issues of policy and procedure.

## Article IV.

Amending the Honor Code Amendments to the Georgia Tech Academic Honor Code may be proposed by a two-thirds (2/3) vote of both the Undergraduate Student Council and the Graduate Student Senate, or by a petition of ten percent (10%) of the total student population (undergraduate and graduate) directed to both the undergraduate student body President and the graduate student body President. Amendments become part of this Honor Code upon ratification by two-thirds (2/3) of the votes cast in a special election open to undergraduate and graduate students, provided that the proposed amendments have been published in The Technique at least one week prior to the vote by the Student Body and further provided that the amendments are approved by the Academic Senate.

Appendices or amendments of appendices which pertain to either the undergraduate or to the graduate student body may be proposed by a two-thirds (2/3) vote of the respective legislative body or a petition of at least ten percent of the respective student body directed to the respective student body president. These shall become part of this Honor Code upon ratification by two-thirds (2/3) of the votes in a special election of the respective student body, provided that the proposed appendices or amendments of appendices have been published in The Technique at least one week prior to the election, and further provided that the appendices or amendments of appendices are approved by the Academic Senate.

## Appendix A: Graduate Appendix to the Honor Code

Section 1. Preamble The Honor Code recognizes that graduate students are involved in research and scholarly activities which occur outside the classroom. Integrity and academic honesty are as fundamental to research and scholarly activity as they are to classroom activity. Therefore, this Appendix to the Honor Code is adopted to pertain to the academic activities of graduate students which occur outside of the classroom.

Section 2. Scholarly Misconduct Scholarly misconduct refers to misconduct which occurs in research and scholarly activities outside the classroom. It can include plagiarism, among other things. The consequences of scholarly misconduct are governed by Institute policy. The following definitions are taken from the Institute's Policy on Scholarly Misconduct.:

"Misconduct" or "scholarly misconduct" is the fabrication or falsification of data, plagiarism, or other practice that seriously deviates from those that are commonly accepted within the academic or research community for proposing, conducting or reporting research or scholarly activity. It does not include honest error or honest differences in interpretation or judgments of data.

"Plagiarism" is the act of appropriating the literary composition of another, or parts or passages of his or her writings, or language or ideas of the same, and passing them off as the product of one's own mind. It involves the deliberate use of any outside source without proper acknowledgment. Plagiarism is scholarly misconduct whether it occurs in any work, published or unpublished, or in applications for funding. Allegations involving scholarly misconduct fall under the Institute's Policy on Scholarly Misconduct. This document details the procedures involved with reporting allegations and with the handling of cases. All graduate students are encouraged to become familiar with this policy, which is available from the office of the Provost.

Source: Undergraduate Curriculum Committee. Date: 8/1996

# 47. Freedom of Expression Policy and Campus Use Procedures

## 47.1 Policy on Freedom of Expression

Georgia Tech holds the first amendment guarantees of freedom of speech, freedom of expression, and the right to assemble peaceably as an essential cornerstone to the advancement of knowledge and the right of a free people. Georgia Tech remains firmly committed to affording every member of the Institute community the opportunity to engage in peaceful and orderly exercise of these rights. Such opportunities must be provided on an equal basis and support the principle that the Institute should remain neutral to the views of public expression. In order to achieve this objective, while at the same time insuring that the Institute fulfills its educational mission, the Institute has the responsibility to maintain a peaceful, safe environment for its campus community as well as visitors to campus. This policy will help to ensure that individuals' or groups' rights are not abridged, while also supporting a means to maintain safety. Assuming responsibility for the use of Institute facilities includes ensuring that the Institute does not restrict the First Amendment rights of the public, students, staff, and faculty, including protecting the rights of speakers to be heard, the rights of the Institute community to hear speakers, and the reputation of the Institute as a center for free speech and scholarly inquiry.

The law permits reasonable time, place, and manner restrictions to allow for reasonable regulation of use of campus facilities to support Institutional missions for teaching, education, research, and other forms of learning. This policy is intended to make it possible to support the Institute's goals by implementing balanced procedures.

Access to the campus of Georgia Tech generally shall be limited to authorized visitors, invited guests, and persons in an official Institutional capacity attending an officially recognized campus-oriented function or activity. Others may express their views in the Amphitheater located adjacent to the Ferst Center under the conditions set forth in this policy and procedures.

Students, faculty, staff, and Institute affiliates are supported in their right to assemble. They can publicly assemble on campus in any place where, at the time of the assembly, the persons assembling are permitted to be. This right to assemble is subject to the rules on use of Institute facilities, as defined by this policy.

## 47.2 Campus Use Procedures

This procedure applies to the use of lands and buildings owned or leased by the Institute for activities, where the Institute allows use of its property by students, faculty, staff, and/or members of the general public. This procedure does not apply to the Institute's official departmental uses of Institute property. This is based on a due regard for the purpose for which real property is owned or leased; the purpose for which the facility is established; the safety of the applicant or of Institute students and employees or of the public; the safety and maintenance of Institute property; the need for and the availability of supervisory personnel; and the maximum number of people who can safely use the property at one time.

This procedure applies to all faculty, staff, students and guests of Georgia Tech. Individuals who are not students or employees of the Institute are required to abide by all pertinent campus policies and regulations while on Institute property. Activities on Institute property may not violate any federal, state, or local safety code, including regulations set by the State Fire Marshal.

The sponsor of the activity will accept responsibility for sponsoring and supervising the program, accept responsibility for assuring that the scheduled facilities are used for the purposes for which they were scheduled, accept responsibility for operating costs (those which apply) and for reimbursing the Institute for damage to Institute property or facilities that might occur in connection with the scheduled activity, ensure that all promotion and advertising of events involving the use of Institute facilities shall identify the individual or group that is the original sponsor of the event. All groups involved in funding the event also should be identified.

Institute students, faculty, and staff may not reserve an Institute facility on behalf of or for the use of an outside

organization so the outside organization can use the facility at a reduced rate. The authorized designee of the Institute for a facility may deny or rescind permission to use that facility if it is determined that the use is not primarily for the benefit of the student, faculty, staff or officially recognized organization making the reservation. Failure to comply with this policy and procedure may result in denial of use of Institute space and facilities.

Persons or organizations who are planning a public assembly and have questions may contact the Dean of Students. The Dean of Students can be helpful if there is uncertainty about applicable Institute rules, the appropriateness of the planned location, or possible conflict with other events.

## 47.3 Definitions

As used in this procedure:

1. "Academic or administrative unit" means any office or department of the Institute.
2. "Amplified sound" means sound whose volume is increased by any electric, electronic, mechanical, or motor-powered means. Shouting and group chanting are not amplified sound and are not subject to the special rules on amplified sound, but are subject to general rules on disruption.
3. “Committee on Use of Institute Facilities” as established by and is responsible to the President of Georgia Tech.
4. "Faculty member and staff member" includes any person who is employed by Georgia Tech.
5. “Georgia Tech” and “Institute” mean The Georgia Institute of Technology.
6. "Institute person or organization" includes academic and administrative units, registered student, faculty, and staff organizations, and individual students, faculty members, and staff members.
7. "Off-campus person or organization" means any person, organization, or business that is not an academic or administrative unit, a registered student, faculty, or staff organization, or a student, faculty member, or staff member.
8. “CPSM” means Georgia Tech’s Office of Capital Planning and Space Management.
9. "Permit" means permission to use Institute facilities.
10. “President” means the President of the Georgia Institute of Technology or any designee or representative of the President of the Georgia Institute of Technology.
11. “Provost” means the Provost of the Georgia Institute of Technology or any designee or representative of the Provost of the Georgia Institute of Technology.
12. "Chartered student organization" includes a registered student organization and Student Government and any unit or subdivision thereof.
13. “Recognized faculty and staff organizations” are those internal organizations recognized by the Executive Board of the Institute or by the Office of the Executive Vice President of Administration and Finance.
14. "Room or space" includes any room or space, indoors or outdoors, owned or leased by the Institute.
15. “Scheduling Officer” means CPSM or the scheduling office in the designated facility. See Section 47.13 for all Institute facilities that have their own building scheduling officer.
16. "Student" means any person who is enrolled in or auditing classes of the Institute, either full-time or part-time; is participating in academic programs; or is pursuing undergraduate, graduate or professional studies. A Student is also any person who matriculates into any Institute program, has been accepted for enrollment or is eligible to re-enroll without applying for readmission.
17. "Vice President for Student Affairs" or “VPSA” means the Vice President for Student Affairs or any designee or representative of the Vice President for Student Affairs.
18. "Weekday", “working day” or “business day” means Monday through Friday, except for official Institute holidays; "day" means calendar day.
19. “Display” or “Exhibit” means an object or collection of related objects, designed to stand on the ground or on a raised surface, that is not a table, and that is designed for temporary display and is not permanently attached to the ground (e.g., an A-frame sign), building or landscape features.
20. “SGA” means Student Government Association.

## 47.4 Committee on Use of Institute Facilities

A committee on the Use of Institute Facilities is established by and is responsible to the President of Georgia Tech. The Committee shall have the following membership: a chairperson appointed by the President; one student appointed by the undergraduate SGA; one student appointed by the graduate SGA; one faculty member appointed by The Executive Board of the Institute; the Vice President for Student Affairs or designee; the Director Capital Planning and Space Management or designee; and the CPSM Scheduling Officer. The Chair is the first point of contact with the Scheduling Officer to determine if waivers and/or exceptions are warranted. The Chair can defer to the full Committee to make a recommendation. The Committee shall:

1. Review and recommend polices regarding the non-academic use of the Institute facilities.
2. Upon referral by the Chair, review and recommend all proposed exceptions to policies regarding the use of facilities.
3. Review group requests not fitting into previously established categories.
4. Hear appeals from decisions regarding non-academic use of Institute facilities. CPSM Scheduling Officer shall not sit on the committee if she/he made decision.

Responsibility for administering the policy and procedure is in the office of the CPSM, the responsible scheduling officer(s), and the Committee on Use of Institute Facilities.

## 47.5 Use of Outdoor Spaces

### 47.5.1 Use by the General Public

Members of the general public, who are not Georgia Tech faculty, staff, students or groups chartered by Georgia Tech, may express their views at the Amphitheater adjacent to the Ferst Center. Georgia Tech may designate alternative free speech areas to accommodate large crowds and any campus emergency.

Requests for the use of the Amphitheater are to be made by completing the Use of Facilities and Space form. This form is located on the Event Scheduling page of the CPSM website under “Resources.” The form must be submitted at least five business days prior to the date planned for use.

Non-GT organizations or groups can obtain information on leasing campus space by sending an email inquiry to events@spaceplan.gatech.edu.

### 47.5.2 Use by Student Organizations

1. Reserving Outdoor Spaces
   Students may choose to use outdoor space on campus for meetings, fundraisers, and organized activities. Tables, carts and booths may be set-up on Tech Walkway and other areas around campus for promoting student organization missions and goals. Tables, carts, booths or similar structures may be set out and used on campus only as provided in this policy. Representatives of the Student groups that reserve space must be in attendance at the location during the reserved time period, especially if co-sponsoring with non-Institute individuals. GT groups can reserve campus space by logging into GT Events from the CPSM website by clicking “reserve space.” Chartered student groups are eligible to apply for a permit for overnight stays (one night 10pm – 7am per month) if the following conditions are met: Overnight stays may occur only in areas designated by the Institute and members are students, faculty, or staff of the Institute.

2. Banners/Fliers
   a. Chartered student organizations and recognized faculty and staff organizations may reserve space to hang banners
      advertising their events at the Student Center balcony, or at areas approved by CPSM.
   b. Requests for banner space should be submitted to the Student Center for use of the balcony and to

CPSM for other
approved locations.

3. Chalking
   a. Student organizations may advertise their events by chalking on ground surfaces around campus. Institute
   departments may also use chalking to advertise.
   b. Chalking is permitted on outside ground surfaces only.
   c. Chalking is not permitted on the Campanile area, on campus fountains, or buildings.
   d. The use of markers, paint, or chalk spray is prohibited.
   GT student organizations and departments can request permission to chalk on ground surfaces on campus by
   sending an email inquiry to CPSM at events@spaceplan.gatech.edu

4. Displays and Exhibits
   Refer to CPSM website (www.space.gatech.edu) for Guidelines for Use of Outdoor Space for use of displays and exhibits for outdoor spaces. This is listed under the “Event Scheduling” tab.

## 47.6 Applications for Use of Institute Facilities

### 47.6.1 Use by the Institute

Nothing in this policy is intended to restrict in any way the use of Institute facilities for:

1. Regularly scheduled classes;
2. Extra or rescheduled classes;
3. Seminars and special instructional lectures sponsored by an administrative or academic department or the Department of Distance Learning and Professional Education, or
4. Authorized consulting, contract or sponsored research;
5. Institute-wide initiatives approved by an Institute Vice President, College Dean, or the President.

The use of Institute facilities for scheduled academic instructional and research purposes shall take precedence over all other uses of such spaces, and will not be displaced without the express approval of the President or the Provost.

### 47.6.2 Applications and Processing of Applications

1. Requests for the use of Institute facilities should be directed to CPSM, with the exception of those buildings listed in Section 47.13.
2. All requests should be submitted at least 5 business days in advance of the proposed use, to permit adequate time to effect the necessary coordination and arrangements. If requests are made less than five (5) working days in advance of the event, the Institute will make every reasonable effort to consider the request, but reserves the right to deny the request.
3. Upon receipt of requests from any Institute person or organization, CPSM or the appropriate scheduling officer will, upon approval of the request, coordinate the use of facilities with appropriate Institute offices and, confirm in writing the requested assignments. If the requested facilities are unavailable, the requesting individual or organization will be advised of other options for space on campus.

### 47.6.3 Limitations on Use

The health, safety and general welfare of the members of Georgia Tech must be preserved. Therefore, the following policies have been established.

1. Dues, Initiation Fees and Admission Charges.
   a. Dues or initiation fees for an Institute organization may be collected during scheduled meetings.
   b. Admission may not be charged nor other funds solicited at such meetings or sponsored events unless specifically approved in advance by the responsible scheduling officer.
   c. If admission or fund solicitation is approved, the sponsoring organization will pay the Institute for the use of space at the rates established for such use and published by the responsible scheduling officer, plus any other direct costs incurred as may be required for the meeting or scheduled event.

2. Amplified Sound.
   The use of amplified sound outside buildings must be approved in advance by CPSM. Amplified sound may be allowed on Tuesday and Thursday from 11 a.m. to 12 p.m., Monday through Friday after 5:00 p.m., and on weekends. The privilege may be withdrawn if it interferes with regularly scheduled classes or other educational functions, or with other scheduled events.

3. Posters and Printed Materials.
   a. Any Student or chartered student organization may place posters or printed materials on bulletin boards or kiosks provided by the Institute for that purpose. No one shall post or display signs or other similar material in any other location without prior written approval from CPSM. All posted material, except for official Institute announcements, shall be removed within ten (10) days of posting. Failure to remove such material shall be considered sufficient cause to deny future requests.
   b. Campus spaces may be used by students, faculty, staff, and affiliates to distribute free literature in such a way as to avoid interference with those entering or leaving buildings or with building occupants. The permission granted does not extend to distribution within any buildings or enclosed areas.
   c. The process of distribution must not interfere with regularly scheduled classes, other approved events, or similar activities, nor infringe upon the privacy of individuals. Off-campus persons and organizations, including recognized candidates for public office, may distribute literature or non-commercial materials at locations on the campus that are designated by CPSM for such purposes (i.e., Amphitheater area).
   d. Political campaign and commercial advertisements, other than for student government elections or as provided for in a Board of Regents or Georgia Tech advertisement policy shall not be displayed on the Campus.
   e. Distribution or posting on the campus of commercial materials (which for these purposes are items, other than newspapers, offered for sale or to induce sales) is prohibited, with the following exceptions:
      i. Vendors offering services to the Institute under contract may solicit the sales of goods or services consistent with the contract.
      ii. Newspapers may be distributed only by vending machines and/or other approved distribution device approved by and at locations designated by CPSM or appropriate scheduling officer.
      iii. Items specifically for use in conduct of official Institute activities or items normally ordered and delivered in support of on-campus residency.
      iv. Items offered to the general public in conjunction with authorized campus events.

f. Facilities leased by the Athletic Association may permit commercial advertisement as it deems appropriate.

4. Displays and Exhibits
   a. Institute persons and organizations may erect exhibits, subject to the policies in this subsection. An academic or administrative unit may authorize indoor exhibits in a space that it occupies and controls. In all other cases, advance permission is required from CPSM.
   b. CPSM shall advise each applicant how to correct, if possible, any conditions that preclude approval of his or her application. Even if an applicant is entitled to have its application approved as submitted, CPSM may give advice about other possible locations, or about modifications to the exhibit, that would avoid potential problems or make the proposed exhibit more workable.
   c. An outdoor exhibit may be displayed for up to five (5) consecutive days. The exhibit must be removed at the end of each business day and may be re-erected each morning. Institute persons and organizations may request an extension beyond the initial five-day period, subject to space availability. This does not apply to academic or administrative units.
   d. All requests for the construction of displays, exhibits or similar structures shall be reviewed by CPSM for safety compliance prior to construction. Sites for the construction of displays shall be coordinated with CPSM.
5. Security of Speaker and Audience.
   The Institute may require that adequate measures be taken to provide protection for persons seeking attendance, persons in attendance at an event, and for the Institute property involved. Where a proposed event presents a particular risk to the health and safety of the applicant, the Institute community or the public, or a danger to Institute property or facilities, the Institute may require insurance, a bond, a security deposit or security costs to be paid by the event sponsor adequate for the protection of those who may attend such an event and the Institute facilities involved. In determining whether such a requirement shall be imposed, the Institute shall consider (1) the number of anticipated attendees, (2) whether the proposed event involves activity that poses an inherent risk of personal injury or property damage, (3) whether the sponsor intends to charge for admission to the event; and (4) any prior incidents of personal injury or property damage during similar events at the Institute or other institutions. All fees shall be based on the number of officers required for an event of the same size and kind, in the same place and at the same time of day, handling the same amount of cash. No fee shall be charged for police officers assigned because of political, religious, philosophical, ideological, or academic controversy anticipated or actually experienced at the event.

   This section is not to be interpreted as a denial of the right to peaceful meetings, protests, or petitions for redress, nor is it a denial of the right to have such meetings, protests, or petitions taking place in the vicinity of those to whom they are directed.

### 47.6.4 Non-Insitute Speakers Invited by Students and Student Organizations

1. Procedure for Chartered Student Organizations
   a. Any chartered student organization or SGA may invite a guest speaker to address their membership without prior authorization.
   b. Any chartered student organization or agency of student government wishing to present off-campus speakers to persons beyond the organization’s membership in Institute facilities may do so by complying with the following

procedures:

i. An authorized officer of the organization shall submit notice in writing to the appropriate scheduling officer via email.

ii. The notice shall state:

1. the speaker's name and the organization represented, if any;
2. the proposed date and time of meeting;
3. the audience to be addressed; and
4. the Institute facility requested.
5. Information that will satisfy the scheduling officer for the desired facility that funds are on hand to pay all expenses involved.

2. Procedure for Invitation by Student Petition

a. In the absence of sponsorship by a chartered student organization or other Institute authority, a petition to the Vice President for Student Affairs may initiate invitation of a speaker.

b. The petition shall bear the signatures of at least fifty (50) currently enrolled students of Georgia Tech. In addition, three (3) students shall identify themselves as taking responsibility for the program.

c. The first five signers of the petition shall constitute a committee responsible for arrangements, and the first signer shall be chairman.

d. The petition shall contain the following information:

i. the speaker's name and the organization represented, if any;
ii. the proposed date and time of meeting;
iii. the audience to be addressed;
iv. the Institute facility requested; and
v. information that will satisfy the Vice President for Student Affairs that funds are on hand to pay all expenses involved.

3. Procedure after Approval of Request for Non-Institute Speaker

a. By acceptance of the invitation to speak, the speaker shall assume full responsibility for any violation of law committed by him/her while he/she is on campus.

b. The sponsoring organization shall not, in any of its invitations, advertisements or other correspondence, imply that the Institute or the Board of Regents of the University System of Georgia approve or are in agreement with any of the positions espoused by the speaker. The approval of the use of instructional facilities by the Institute shall not necessarily imply that the Institute or the Board of Regents of the University System of Georgia approves or are in agreement with any of the speaker's statements.

### 47.6.5 Non-Insititute Speakers Invited by Faculty, Staff or Faculty or Student Organizations

1. Procedure for Instructional Faculty

a. Any member of the teaching faculty may invite an off-campus speaker to address the registered students of their regularly scheduled class, or a special session of their scheduled class or seminar in the assigned classroom space. For additional information concerning normal academic use of Institute facilities see section 47.6.1.

b. A faculty member reserves a room or facility for an off-campus speaker by notifying CPSM or the

appropriate
scheduling officer in writing as soon as possible, with the requested date and time of meeting, the speaker's name
and the organization represented, the expected size of the audience, and the requested Institute facility, so that
appropriate space can be arranged.

2. Faculty and Staff Organizations
Any recognized faculty or staff organization wishing to invite an off-campus speaker to address the membership of the organization is free to do so. An authorized officer of the organization shall submit in writing to the appropriate scheduling officer the speaker's name and the organization represented, if any, the proposed date and time of meeting, the audience to be addressed, and the Institutional facility sought to be used.

3. Procedure after Approval of Request for Non-Institute Speaker
   a. By acceptance of the invitation to speak, the speaker shall assume full responsibility for any violation of law committed
   by him/her while he/she is on campus.
   b. The sponsoring organization shall not, in any of its invitations, advertisements or other correspondence, imply that the
   Institute or the Board of Regents of the University System of Georgia approve or are in agreement with any of the
   positions espoused by the speaker. The approval of the use of instructional facilities by the Institute shall not
   necessarily imply that the Institute or the Board of Regents of the University System of Georgia approves or are in
   agreement with any of the speaker’s statements.

## 47.7 Grounds for Denial of Application for Use of Property

Notice of denial of an application for permit shall clearly set forth in writing the grounds upon which the application was denied and, where feasible, shall contain a proposal by the Institute for measures by which the applicant may cure any defects in the application for permit or otherwise procure a permit. Where an application has been denied because a fully executed prior application for the same time and place has been received, and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the Institute may propose an alternate place, if available for the same time, or an alternate time, if available for the same place. An application for permit may be denied on any of the following grounds:

1. The application for permit is not fully completed and executed;
2. The applicant has not timely tendered an application fee, user fee, indemnification agreement, security deposit, or satisfied any other condition reasonably required by the Scheduling Officer;
3. The application for permit contains a material falsehood or misrepresentation;
4. The applicant is legally incompetent to contract (e.g., under eighteen years of age) or is not a legally recognized entity (e.g., out of state corporation not licensed to do business in Georgia);
5. The applicant or the person on whose behalf the application for permit was made has on prior occasions damaged Institute owned or leased property and has not paid in full for such damage, or has other outstanding and unpaid debts to the Institute;
6. A fully executed prior application for permit for the same time and place has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular property or part hereof;
7. The use or activity intended by the applicant would conflict with planned programs organized and conducted by the Institute and scheduled for the same time and/or place;
8. The proposed use or activity is prohibited by or inconsistent with the uses of Institute owned or leased property or part thereof;

9. The use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the property, or of Institute students or employees, or of the public;
10. The applicant has not complied or cannot comply with applicable licensure requirements, rules or regulations concerning the sale or offering for sale of any goods or services;
11. The use or activity intended by the applicant is prohibited by applicable rules or laws;
12. The applicant has not secured the requisite insurance;
13. The applicant or the person on whose behalf the application for permit was made has on prior occasions made material misrepresentations regarding the nature or scope of the event or activity previously permitted or has violated the terms of prior permits issued to the applicant;
14. The proposed use or activity would interfere with pedestrian and/or vehicular traffic;
15. The applicant intends to sell, distribute or consume alcoholic beverages in any academic building or space, or to do so at any other location on the premises of the Institute without prior written authorization from the President;
16. The proposed use or activity intended by the applicant would present an unreasonable risk of substantial damage to property of the Institute and/or of persons lawfully present on Institute property.

## 47.8 Procedure for Review of Denials

1. If the request for use of facilities is denied, any sponsoring person or organization thereby denied may file an appeal with the Committee on Use of Institute Facilities (see section 47.4) not later than five (5) business days after the notice of denial is sent. The appeal must be submitted to the Chair, Committee on Use of Institute Facilities.
2. The organization will obtain a review by the Committee on Use of Institute Facilities within seven (7) business days after filing its appeal. The Committee on Use of Institute Facilities may request that the aggrieved party and the appropriate scheduling officer appear before the Committee on Use of Institute Facilities, in its sole discretion.
3. The Committee on Use of Institute Facilities shall have seven (7) business days from the date on which the appeal was filed in which to serve upon the applicant a decision affirming, modifying or reversing the denial. If necessary, the Committee on Use of Institute Facilities will attempt to expedite its review.
4. Such notice shall be deemed served upon the applicant when it is personally delivered or when it is sent by e-mail or United States mail, with proper postage prepaid, to the name and address set forth on the application for permit;
5. If the appeal is neither granted nor denied within seven (7) business days after it was filed, it shall be deemed granted, and the invitation to a non-Institute speaker may be issued.
6. If the appeal is denied by the Committee on Use of Institute Facilities, the sponsoring person or organization may file an appeal with the President not later than seven (7) business days after the notice of denial is sent. The appeal should be submitted to the Office of the President.
7. The President shall deliver his/her decision within seven (7) business days after receipt of the appeal. Such notice shall be deemed delivered to the applicant when it is sent by e-mail or United States mail, with proper postage prepaid, to the name and address set forth on the application for permit;
8. If the appeal is neither granted nor denied within seven (7) business days after it was filed, it shall be deemed granted, and the invitation to a non-Institute speaker may be issued.
9. Appeal from the decision of the President may be made to the Board of Regents in accordance with the Board of Regents' Policies.

## 47.9 Forms of Appeal

Any appeal filed pursuant to Section 47.8 of this policy shall state succinctly the grounds upon which it is asserted that the denial should be modified or reversed and shall be accompanied by copies of the application for permit, the written notice of the determination of the responsible administrator, and any other papers material to the determination.

## 47.10 Waiver of Requirements

Waiver of Permit Requirement or Limitations. Any requirements in this policy may be waived by the Scheduling Officer in consultation with the Chair of the Committee on the Use of Institute Facilities for property under the jurisdiction of the officer granting the waiver.

## 47.11 Rental or License of Facilities by Non-Institute Persons or Organizations

### 47.11.1 Conditions of Rental or License

The physical facilities of Georgia Tech are not normally available for rental or license. Under specific conditions, however, the President of Georgia Tech may authorize and approve the license or rental of physical facilities of the Institute.

The conditions which must be satisfied include, but are not limited to, the following:

1. The facilities involved are not required during the period of intended license/rental for any Institute purpose.
2. The use of the facilities shall be restricted to purposes which will benefit directly a major segment of the population of Georgia Tech in an educational or entertainment context, or which are compatible with the academic and residential functions and responsibilities of the Institute.
3. The non-Institute parties seeking the license or rental must demonstrate sound financial and management capabilities related to responsible utilization of the facilities and must provide an IRS ID number, and proof of licensing by the State of Georgia, bonding and insurance protection.
4. The rental/license rate shall be set at fair market value as determined from the current rate for similar facilities in the City of Atlanta. Adjustments may be made for events which are sponsored and managed by the appropriate committees of Student or Faculty Governments or by Tier One or Tier Two student organizations (as defined by the SGA by-laws).
5. The net income from all licenses/rentals shall be utilized to support related programs, or to maintain and improve the physical facility which is used to generate such income.
6. Facilities shall not be licensed or rented for activities or events which are designed to benefit a political candidate, including campaigning and fundraising.
7. Individuals or organizations using Institute facilities under these provisions shall not use the name of the Georgia Institute of Technology, Board of Regents or the State of Georgia in advertising or in any other manner to state or imply sanction or sponsorship.
8. During such use Georgia Tech police and other duly empowered police, security officers, public safety officials and EMT's assigned to the facilities shall be required and instructed to observe and enforce all applicable laws.

In addition, non-Institute persons or organizations that have been approved to use Institute facilities must:

1. Sign a contract with the Institute for use of its facilities.
2. Obtain and provide a certificate of liability and property damage insurance (without deductible) which names Georgia Institute of Technology as an additional insured. The liability limits will depend on the nature of the activity and shall be set by the Office of Risk Management.
3. Reimburse the Institute for additional costs for police, maintenance, etc., incurred in connection with the scheduled activity or event.
4. Ensure that all promotion and advertising of event involving the use of Georgia Tech identifies the non-Institute person or organization sponsoring the event.
5. Provide any necessary support personnel not provided for in the contractual agreement with the Institute (i.e., ticket sellers, box office personnel, ushers, support crew, security, etc.).
6. Ensure that all non-Institute decoration, staging and equipment meet State Fire Code provisions and all other applicable safety standards and regulations prior to their installation and use.
7. Provide evidence of their ability to meet all expenses in advance of the event.

8. Arrange food and beverages through the campus concessionaire, where applicable.
9. Comply with the policies of the Board of Regents, the Institute and the State of Georgia concerning alcoholic beverages.
10. Take reasonable care to ensure the physical safety and health of the participants and spectators.

### 47.11.2 Classification of Activities and Events

Use of Georgia Tech facilities by an external organization for an activity or event will be classified in the following levels:

**Level 1** is an activity that affects the venue itself and will have no impact on other campus functions or services.

> Examples: A team wishes to use Roe Stamps Field for a practice on an hourly basis. A team wishes to rent a specific number of lanes to practice in the Campus Recreation Center Aquatic Center. A small group wishes to use a particular facility for a short-term activity.

**Level 2** is an event that will have an effect on campus services adjacent to the venue.

> Examples: A swim event at the Campus Recreation Center (CRC), or a Concert, which will affect such campus services as parking and facilities.

**Level 3** is an event that will have a major impact across the campus, and which will require coordination of a wide variety of campus facilities and/or services. These events may involve television, attract a large media contingency, and require significant traffic control, security and parking.

> Example: Georgia State Games, USA National Championship, International Championship, a large outdoor concert, or State High School Basketball Championship at Alexander Memorial Coliseum (AMC), or a city-wide marathon race.

### 47.11.3 Reservation Process

1. All Level 1 and Level 2 requests for the use of any Georgia Tech facilities from sources external to the Institute shall be directed to CPSM or the appropriate scheduling officer. CPSM or the appropriate Scheduling Officer will evaluate such requests under applicable Institute policies. Level 3 requests must be made in writing to the Executive Vice President for Administration and Finance or designee.
2. Once the initial inquiry has been made, the date for the event will be checked with the appropriate Scheduling Officer. The following considerations will be reviewed:
    - the availability of the desired facility
    - the nature of the proposed event
    - the organization’s ability to meet expenses and the attendant costs for the event
    - anticipated attendance
    - supervision and control of the facility
    - supervision of the event
    - admission charges, ticket printing and sales
    - staffing of box office and gate
    - care and disposition of the monies collected for the event
    - publicity
    - food service
    - alcoholic beverages
    - police and custodial coverage

- insurance requirements
- fire code regulations
- EMT services
- program/activity accessibility
- crowd control
- provisions for guests
- signing of contracts/agreements for facility and services
- needed equipment and/or special services
- accounting for any income derived from the event
- set-up of the facility
- compliance with all other Institute regulations, federal and state laws
- clean-up and restoration of the facility to its original condition
- parking considerations
- housing needs
- coordination of campus support services
- waste removal and recycling

3. Insurance
   Once it is determined to accommodate the event, the external organization must produce proof of appropriate insurance coverage, as determined by the Office of Risk Management. CPSM or the appropriate Scheduling Officer will be responsible for processing the contract, obtaining the insurance certificate, explaining the charges associated with the event, and completing all necessary paperwork for the event.
4. Contracts
   At the time the insurance coverage is presented, two copies of a Georgia Tech contract must be signed by the external organization. The contract is then sent to the appropriate administrator for execution. Once executed, a copy of the contract is sent to the external organization and a copy is kept on file by the Scheduling Officer. The external organization is to be given no confirmations or guarantees until the contracts have been executed. When the contracts have been executed, a copy will be sent to the event organizer.
5. Advertising
   Advertising shall not begin nor shall invitations be extended until after the proposed event has been approved.

### 47.11.4 Charges for Use of Georgia Tech Facilities

Depending on the nature, duration, and special requirements for events, the following charges may be assessed:

- Use of Facility
- Event Supervision
- Police
- Maintenance (i.e. electricians, custodians, grounds crew, etc.)
- Equipment and Supplies
- Outside Personnel
- Student Assistants
- Special Services
- Parking

All charges will be explained to the potential user prior to signing a contract with the Institute for the use of its facilities. A deposit may be required with the balance of all charges due no more than two weeks following the receipt of an invoice. Invoicing of activities will be a function of the appropriate scheduling officer for the facility rented and shall comply with all Georgia Tech policies and procedures governing accounting activities.

### 47.11.5 Student Organization Co-sponsered Event

If a Georgia Tech student organization co-sponsors an event with an external partner, the event will be treated as an external event under this policy.

An event is a co-sponsorship if an individual or student organization:

1. Advertises the event as co-sponsored by an off-campus person or organization; or
2. Operates the event as agent of, or for the benefit of, an off-campus person or organization, except for the solicitation of charitable contributions; or
3. Distributes any proceeds of the event to an off-campus person or organization, except for the proceeds of charitable contributions solicited; pays fair market price for goods or services provided to the student organization; or
4. Reserves a room or space for the use of an off-campus person or organization.

Co-sponsorship by a student organization requires the following:

1. That a member of the student organization be designated and known as the “Institute Host”. The “Institute Host” shall:
   a. Be responsible for planning the event and preparing the budget that will detail anticipated expenses and revenues.
   b. Attend the event to ensure that it is conducted properly and Institute policies are followed.
   c. Become the single point of contact for the external group.

2. A contract in the form prescribed by the Institute must be executed between the outside organization and the Institute.

## 47.12 Severability

If any provision of this policy and procedure or the application thereof to any person or circumstance be held invalid, the remainder of this policy and procedure and the application of such provision to other persons or circumstances shall not be affected thereby. The Institute reserves the power to amend or repeal this policy at any time; and all rights, privileges and immunities conferred by this policy and procedure or by acts done pursuant hereto shall exist subject to such power.

## 47.13 Institute Facilities that have their own Scheduling Officer

(Includes, but is not limited to)

- Alumni House
- Athletic facilities
- Bill Moore Student Success Center
- Campus Recreation Center and facilities
- Charles A. Smithgall, Jr. Student Services Building
- College of Management
- Ferst Center for the Arts
- Fred B. Wenn Student Center and Penny and Roe Stamps Student Center Commons
- Georgia Tech Research Institute - GTRI
- Global Learning Center
- G. Wayne Clough Undergraduate Learning Commons
- Historic Academy of Medicine
- Housing facilities
- Institute for Paper Science & Technology - IPST
- Klaus Advanced Computing Building
- Library

- Manufacturing Research Center - MARC
- Wardlaw Building

## 48. Use of Office Space by Retired Faculty

A. It is the policy of the Georgia Institute of Technology to consider the request from retired faculty to be provided office space.
B. After office space for regular faculty is provided, space, if available, may be provided to retired individuals who perform a service to the institution. Special approval is required from the department chair, academic dean, and the Provost and Vice President for Academic Affairs.
C. Each case will be reviewed annually prior to the beginning of the Fall quarter.

Source: Provost and Vice President for Academic Affairs. Date: 8/1996

## 49. Utilities, Maintenance, and Modifications

The Office of the Associate Vice President for Facilities and Plant Operations Division, as part of their basic functional assignments from the Board of Regents and the Institute's administration, are the responsible organizational units for the design, construction, and maintenance of all campus facilities.

All utilities and associated components which are located on or within the campus boundaries are Institute owned. This includes all conduits, cables, wire, trenches, paths, poles, towers, pipes, sewers, and other subcomponents used to interconnect buildings and/or operational areas.

After any utility system has been installed and/or modified, ownership of all components, sub-components, and/or additions to such systems, rests with the Institute.

If a user organization desires to have new utility installed or modified in order to extend that utility, funding for such projects must be borne by that organizational unit. Further, the funding organization or the project must obtain written approval of the Plant Operations Division (Director's Office) to add or modify the utility; and the design for such addition/modification must be prescribed by the Plant Operations Division's Engineering Department to ensure compliance with campus standards. Once completed, the ownership of the utility rests with the Institute. Right of first use will be granted to the funding organization, but essential maintenance will be managed by the Plant Operations Division. (Funding for maintenance and/or repair of the utility will be the responsibility of the user organization on a *pro rata* charge basis related to the utility's use.)

All operational costs associated with new utilities and/or modification of existing utilities for an organization will be the responsibility of the user.

Source: Office of Facilities. Date: 8/1996

## 50. Intellectual Property Policy

### 50.1 Introduction

The Georgia Institute of Technology (GIT) is dedicated to teaching, research, and the extension of knowledge to the public. Its personnel recognize as two of their major objectives, the production of new knowledge and the dissemination of both old and new knowledge. Inherent in these objectives is the need to encourage the development of new and useful devices and processes, the publication of scholarly works and educational materials, the development of computer Software, and other forms of Intellectual Property. Such activities (1) contribute to the professional development of the faculty, staff, or students involved, (2) enhance the reputation of

GIT, (3) provide additional educational opportunities for participating students, and (4) promote the general welfare of the public at large.

Patentable inventions and materials often come about because of activities of GIT faculty, staff, or students who have been aided wholly or in part through the use of GIT resources. It becomes significant, therefore, to insure the utilization of such inventions for the public good and to expedite their development and marketing. The rights and privileges, as well as the incentive, of the inventor must be preserved so that his or her abilities and those of other GIT faculty, staff, and students may be further encouraged and stimulated.

GIT recognizes and encourages the publication of scholarly works as an integral part of the processes of teaching, research, and service. GIT encourages faculty, staff, and students to regularly prepare for publication, usually through individual effort and initiative, articles, pamphlets, books, and other scholarly works which may be subject to copyright and which may generate royalty income for the author. Publication may also result from work supported either partially or completely by the institution. With the advent of innovative techniques and procedures, the variety and number of materials that might be created in a university community have increased significantly, causing the ownership of such copyrightable materials to become increasingly complex.

GIT aims to be at the forefront of teaching and to provide diverse high-quality learning environments. To achieve these purposes, GIT wishes to encourage and provide incentives for innovators in the development of improved educational materials. Through the efforts of faculty and staff, digital and other storage and transmission media will have an increasing role in expanding educational effectiveness and accessibility. When such materials are used to expand programs outside the traditional campus, they require and deserve Intellectual Property protection.

GIT recognizes the need for enhanced development and dissemination of software technology as a means of expressing both old and new knowledge. Inasmuch as GIT is aware of the dynamic nature of Software and that the value of Intellectual Property comes from the ability of its owner to control its use and that such value is directly related to the degree of protection it enjoys under the law, GIT encourages the protection of such expressions of knowledge by the utilization of appropriate Intellectual Property laws and the creation of comprehensive software technology transfer policies and procedures.

The Board of Regents has, by contract, granted rights to Intellectual Property created at GIT to the Georgia Tech Research Corporation (GTRC). When this policy speaks to ownership of Intellectual Property by GIT, GTRC shall be the owner.

The foregoing considered, the Georgia Institute of Technology does hereby establish the following policy with respect to the development, protection, and transfer of rights to Intellectual Property resulting from the work of its faculty, staff, or students.

## 50.2 Definitions

"Intellectual Property" shall be deemed to refer to Patentable Materials, Copyrighted Materials, Trademarks, Software, and Trade Secrets, whether or not formal protection is sought.

"Patentable Materials" shall be deemed to refer to items other than Software which reasonably appear to qualify for protection under the patent laws of the United States or other protective statutes, including Novel Plant Varieties and Patentable Plants, whether or not Patentable thereunder.

"Copyrighted Materials" includes the following: (1) books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests, and proposals; (2) lectures, musical or dramatic compositions, unpublished scripts; (3) drawings, sketches, renderings, blueprints, photographs; (4) films, filmstrips, charts, transparencies, and other visual aids; (5) video and audio tapes or cassettes; (6) live video and audio broadcasts; (7) programmed instructional materials; (8) mask works; and (9) other materials or works other than Software which qualify for protection under the copyright laws of the United States (see 17 U.S.C.102 et seq.) or other protective statutes whether or not registered thereunder.

"Software" shall include one or more computer programs existing in any form, or any associated operational procedures, manuals, or other documentation, whether or not protectable or protected by patent or copyright. The term "computer program" shall mean a set of instructions, statements of related data that, in actual or modified form, is capable of causing a computer or computer system to perform specified functions.

"Trademarks" shall include all trademarks, service marks, trade names, seals, symbols, designs, slogans, or logotypes developed by or associated with the Georgia Institute of Technology. (See 15 U.S.C.1127.)

"Trade Secrets" means information including, but not limited to, technical or nontechnical data, a formula, a pattern, a compilation, a program, a device, a method, a technique, a drawing, a process, financial data, financial plans, product plans, or a list of actual or potential customers or suppliers which: (i) derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons, who can obtain economic value from its disclosure or use; and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. (See O.C.G.A. 10-1-761.)

"Patentable Plant" means an asexually reproduced distinct and new variety of plant. (See 35 U.S.C.161.)

"Mask Work" means a series of related images, however fixed or encoded: (i) having or representing the predetermined, three dimensional pattern of metallic, insulating, or semiconductor material present or removed from the layers of a semiconductor chip product; and (ii) in which series the relation of the images to one another is that each image has the pattern of the surface of one form of the semiconductor chip product. (See 17 U.S.C. 901.)

"Novel Plant Variety" means a novel variety of sexually reproduced plant. (See 7 U.S.C.2321 et seq.)

“Creator” means a member of the Georgia Tech faculty, staff, or student body who makes an invention, as defined under U.S. patent law, or who participates in the creation of a copyrightable work, under US copyright law, or both. One is a participant in creating a copyrighted work when one makes an original work of authorship (or part thereof) fixed in any tangible medium of expression from which the work can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Being an editor or otherwise facilitating a creation does not ordinarily qualify one as a “Creator.”

“Commercialization” means the process of developing marketable Intellectual Properties and licensing them to parties outside GIT who, in turn, will develop products or services based on them to sell or license to others. Thus, for example, this term does not apply to GIT offering a course or seminar for a fee.

## 50.3 Intellectual Property Advisory Committee

Intellectual Property activities shall be under the general cognizance of the Executive Vice President for Research (EVPR) and administered by the General Manager of GTRC. An Intellectual Property Advisory Committee will be appointed by the EVPR after consultation with the Faculty Executive Board of the Institute. The IP Advisory Committee will be constituted as follows: one representative shall be selected from the Office of Administration and Finance, one representative shall be selected from the Office of Legal Affairs; one representative shall be selected from the Georgia Tech Research Corporation; and one or more faculty representative(s) shall be selected from each of the colleges so that there is an adequate representation of specialized areas such as but not limited to software, instructional materials, translational research, and inventions; and one representative shall be selected from the student body. The EVPR shall appoint the Chair of the Committee to serve as needed.

The role of the IP Advisory Committee is to:

1. Advise the EVPR and General Manager of GTRC on policy matters relating to Intellectual Property;
2. Propose amendments considered necessary to the Intellectual Property Policy;
3. Advise on settlement of disputes; and
4. Advise on deviations from this policy.

## 50.4 Policy Applicability to Faculty, Staff, and Students

This policy shall be applicable to all full or part-time faculty, staff, and students of the Georgia Institute of Technology.

## 50.5 Assignment and License of Rights

A. All full or part-time faculty and staff shall, as a condition of employment with the Institute, execute an agreement, assigning all rights, title, and interest, to the extent prescribed in this policy, in any Intellectual Property to the Georgia Tech Research Corporation. Students shall not be required to execute an agreement except as set forth in this policy under section 50.5.B. This policy shall, however, be applicable to them as provided in the General Catalog and Student Handbook.

B. Students shall be required to execute an agreement only:

1. When working on a research project funded by an entity other than GIT, the Georgia Tech Foundation, or the Board of Regents;
2. When employed by GIT; or
3. When required by the Office of the Provost. Such requirement may be recommended by a faculty member who has students working in faculty-directed research.

C. For Copyrighted Material that is (1) created by a student in furtherance of or in connection with student's studies or activities at GIT during his/her matriculation at GIT and (2) that does not fall under Section 50.5.B, the student hereby grants to GTRC and GIT a non-exclusive, royalty-free license to copy, display, distribute, perform, display and make derivate works of the Copyrighted Materials for GTRC's and GIT's purposes only.

## 50.6 Determination of Rights in Intellectual Property

A. Sponsor-Supported Efforts

The grant or contract between the sponsor and GTRC, under which Intellectual Property is produced, may contain specific provisions with respect to Intellectual Property. The Creators must be aware of these provisions as they can impact the licensing and Commercialization opportunities of the Intellectual Property.

B. Institution-Assigned Efforts

Ownership of Intellectual Property developed as a result of assigned institutional effort, including any effort normally associated with one's discipline and position, in education, research, and service, shall reside with GTRC.

The general obligation to produce scholarly and creative works, such as textbooks and associated supplementary material, books, journal articles, does not constitute a specific assignment for this purpose. Creation of computer Software may be a scholarly activity and it may not necessarily constitute a specific assignment for this purpose. (See also Definitions in Section 50.2).

C. Institution-Assisted Individual Effort

Ownership of Intellectual Property developed by faculty, staff, or students of GIT where GIT provides support of their efforts or use of institutional resources in more than a purely incidental way (unless such resources are available without charge to the public) shall reside with GTRC.

D. Individual Effort

In accordance with U.S. copyright law, textbooks, books, and journal articles and their directly associated electronic media will normally be treated as individual efforts owned by the author(s) unless one of the exceptions listed in

50.6 A-C applies.

In addition, ownership rights to Intellectual Property developed by GIT faculty, staff, or students shall reside with the Creator of such Intellectual Property provided that: (1) there is no use, except in a purely incidental way, of GIT resources in the creation of such Intellectual Property (unless such resources are available without charge to the public); (2) the Intellectual Property is not prepared in accordance with the terms of GIT contract or grant; and (3) the Intellectual Property is not developed by faculty, staff, or students as a specific institution assignment as discussed in 50.6 B above. The nature and extent of the use of GIT resources shall be subject to GIT regulations.

When there are multiple Creators, some or all may have ownership rights subject to the tests described above, but the parties are encouraged to enter into a mutually signed written agreement to clarify their respective rights and responsibilities, in accordance with guidance in Section 50.8.

E. Other Efforts

Ownership rights to Intellectual Property developed under any circumstances other than those listed in Section 50.6 A-D of this policy shall be determined on an individual basis and approved by the General Manager of GTRC or his or her designated representative.

## 50.7 Administrative Procedures

Georgia Tech Research Corporation (GTRC) is responsible for implementation of the Institute's Intellectual Property policy other than the management of Trademarks pertaining to the name, emblem, insignias, and logos of the Georgia Institute of Technology, which Trademarks shall be managed by the Georgia Tech Foundation.

To assure protection and potential Commercialization, Georgia Tech faculty, staff, and students are encouraged to disclose Intellectual Property to GTRC in a timely manner prior to any disclosure outside of Georgia Institute of Technology. GTRC will work with the Colleges, GTRI, the Department of Distance Learning, Continuing Education, and Outreach, and other involved units to ensure that there are adequate tools in place to facilitate the disclosure of all types of Intellectual Property and that these are received by GTRC in a timely manner. There is a long history of disclosure of patentable technology but attention must also be paid to documenting and managing other types of Intellectual Property.

GTRC may be obligated to report certain Intellectual Property to federal and other sponsors of research. Georgia Tech faculty, staff, and students should discuss the extent and nature of such disclosures with GTRC.

GTRC generally seeks Intellectual Property protection for potential licensing purposes only. Intellectual property protection for reasons other than such purposes must be funded by the relevant school, laboratory, center, or individual Creator.

GTRC will advise the Creators of its decision to accept Intellectual Property for administration within ninety (90) days of receipt of the completed Intellectual Property disclosure. Should GTRC decide not to accept the Intellectual Property for administration, or if it at any future time decides not to take any further action in marketing, or encouraging further development as a prelude to marketing, the Intellectual Property, it shall within thirty (30) days of such decision notify the Creators and, should the Creators so request, and if able to do so, release the Intellectual Property to the Creators.

On acceptance by GTRC of any Intellectual Property for administration, the Creators shall do all things necessary and comply with reasonable requests by GTRC, to assist in obtaining Intellectual Property protection and/or marketing the Intellectual Property. Such assistance will be at no cost to the Creators.

No Institute personnel shall take any action to seek Commercialization of, or receive any benefit from, any GTRC-owned Intellectual Property other than in accordance with the Georgia Institute of Technology Intellectual Property policy.

### 50.7.1 Distribution of Income

The first Two Thousand Five Hundred Dollars ($2,500) of gross licensing income derived from the Commercialization of any Intellectual Property shall be paid to the Creators if they have filed a disclosure with GTRC in accordance with these procedures. Thereafter, the net income, computed on a cumulative basis, shall be distributed as follows:

| | Next $500 K | $501 K - $1,000 K | > $1,000 K |
|---|---|---|---|
| Creator(s) | 33% | 33% | 33% |
| Unit | 17% | 27% | 33% |
| GTRC | 50% | 40% | 34% |

All licensing net income from royalties and similar income, i.e. gross income less all expenses attributable to that specific disclosure (e.g., patent costs, attorney costs, marketing costs, reproduction, mailing, consumables, and unreimbursed development costs, etc.), shall be distributed quarterly by GTRC to the Creator and/or unit. Any expenses to be reimbursed before distribution of royalties, over and above GTRC expenses, should be preapproved by all parties (GTRC, Unit, and Creators) before they are incurred but must be agreed in writing by all the parties (GTRC, Unit, and Creators) prior to distribution.

In the case of the death of a Creator, any payment due, or which would have been due to such Creator, shall be made to the Creator’s estate.

The “Creator” will be the Creator or Creators of record listed on the original Intellectual Property disclosure, or as subsequently updated in writing. When more than one Creator is listed, the allocation will be determined by the percentage of ownership listed in the original or updated disclosure. That allocation may only be altered for future distribution of royalties or other proceeds by written request signed by all Creators listed on the original disclosure. In the case of the death of a Creator, any payment due, or which would have been due, to such Creator shall be made to the Creator’s estate.

Reinvestment funds are intended to seed additional research and development of new Intellectual Property. Distribution of a portion of royalties, and similar or related income, for reinvestment will be made in the form of a GTRC grant to the primary home unit of the principal Creator for use in funding additional research and development or other scholarly activities at the unit level.

The portion of royalty and similar or related income that accrues to GTRC shall be used to partially offset the costs of technology transfer or dissemination not allocable to specific licensed Intellectual Property and to support the research and teaching infrastructure and programs of GIT.

### 50.7.2 Equity Stakes

In the event that GTRC accepts equity in a start-up company as part of consideration for a license to technology or to any other Intellectual Property, the Creators may be entitled to receive a portion of the equity shares received from the company by GTRC. A Creator may participate, subject to the GIT Conflict of Interest Policy, in the formation of a company to commercialize Intellectual Property that is licensed from GTRC and hold equity in the resulting start-up company. However, a Creator who accepts an equity interest of any form or size from a licensee shall receive no portion of any equity shares received from the licensee by GTRC.

Creators choosing not to accept an equity interest directly from a licensee will receive a portion of the equity shares received by GTRC according to the following schedule: a) If there is a single Creator then one-third (1/3) of the total shares received by GTRC, the Creator’s portion, will be distributed to that individual. GTRC will carry the remaining two-thirds (2/3) of the shares received, the GTRC portion, until sale at a date to be determined later. b) If

there is more than one Creator and all Creators choose not to accept an equity interest directly from a licensee, then one-third (1/3) of the total shares received by GTRC, the Creators' portion, will be distributed to all Creators on a pro-rata basis based on their relative contributions to the discovery and development of the Intellectual Property in question. GTRC will carry the remaining two-thirds (2/3) of the shares received, the GTRC portion, until sale at a date to be determined later. c) If there is more than one Creator and one or more Creators choose to accept an equity interest directly from the licensee and one or more choose not to participate in the formation of the company (i.e. not accept shares directly from the company), then the normal Creators' portion of the total shares received by GTRC (that is, the one-third (1/3) portion in a) and b) above) is reduced by the contributions of those Creators choosing not to receive shares from GTRC relative to all Creators. The remaining Creators' portion of shares received by GTRC is distributed to those Creators based on each of the remaining Creators' contributions relative to those remaining Creators. The GTRC will obtain all remaining shares. (Example: There are 2 Creators with a mutually agreed upon split of 60% contribution by Creator#1 and 40% by Creator #2. Creator #1 takes equity directly from the company and GTRC negotiates for a total of 100 shares of equity with the company. The normal 33% Creators' share would be 33 shares. Since Creator #1 chose to take equity directly from the company, he would not receive any GTRC received shares. Creator #2 would get .33 x 40 = 13.2 shares, the same number he would have received if Creator #1 had not opted for directly receiving company equity. The remaining 33 - 13.2 = 19.8 shares will be held by GTRC, along with the other 67 shares.) GTRC will carry its portion of the shares received until sale at a date to be determined later.

Upon sale of any equity shares received by GTRC, the net proceeds received will be kept by GTRC and will be distributed to the sponsoring unit for reinvestment according to the chart in Section 50.7.1 for the unit and GTRC.

The distribution of royalties to the Creator(s), to reinvestment, and to GTRC will continue regardless of the equity choices made by the Creators.

### 50.7.3 Retention of Ownership

Ownership of Intellectual Property Rights will normally be retained by GTRC. This is to ensure that all licensable knowledge created or invented will be available for public use. Exclusive licensing agreements by GTRC will contain a due diligence provision to require the license to revert to GTRC within a reasonable period of time if the licensee does not make the Intellectual Property available to the public.

## 50.8 Fair Use and Other Protections Relating to Copyrights

Faculty members may from time to time participate in creating a copyrighted work, which may be owned by GTRC in accordance with Sections 50.5 and 50.6. That notwithstanding, such faculty members have the right

- To make modifications to their parts of such works and to prepare derivative works therefrom; and
- To use and present said derivative works, whether or not the faculty member is still employed by GIT, subject to the GIT Conflict of Interest Policy.

GIT recognizes the need and has the right to require that the quality and freshness of Copyrighted Materials used in its programs be maintained. It will make every reasonable effort to involve faculty, staff, and student Creators of copyrighted works in on-going quality assurance and improvement of the works they created. GIT shall, in any case, recognize and acknowledge the Creators of any material used in university programs, subject to the permission of the Creators.

Within the GIT community, parties involved in the development of copyrightable materials (Georgia Tech faculty, staff, students, and appropriate units of Georgia Tech) may enter into mutually signed written agreements to determine the particular terms and conditions of these policies applicable to specific developments. GTRC shall administer the execution of these agreements.

Students have rights to hold copyrights, subject to the criteria governing copyright ownership as set forth in Sections 50.5 and 50.6.

Names and Trademarks associated with and belonging to GIT may not be used except by permission of the Office of Institute Communications and Public Affairs, acting on behalf of the Georgia Tech Foundation. Members of the GIT community may identify themselves as such, in ways customary in scholarly work, but any such use shall seek to avoid inappropriate implications of sponsorship or endorsement by GIT, and where necessary, include specific disclaimers.

Members of the GIT community are cautioned to respect and observe the rights of other copyright owners, in accordance with fair use provisions of current U.S. copyright law. Similarly the rights of any sponsors involved in the development of Intellectual Property must be respected and protected appropriately.

### 50.9 Appeals and Conflicts

GIT personnel shall have the right to appeal from decisions of the General Manager of GTRC regarding IP protection and commercialization. Appeals shall be made to the EVPR.

### 50.10 Changes in Policy

This policy may be changed by the EVPR on the recommendation of the Intellectual Property Advisory Committee, with the endorsement of the Executive Board of the Institute, or on his or her own initiative, after consulting with the Intellectual Property Advisory Committee and the Executive Board of the Institute.

### 50.11 Order of Precedence

In the event of conflict, between this policy and any policy of the Board of Regents, the latter shall prevail.

## 51. Open Meetings Policy

The meetings of all bodies of the Institute, except those in which personnel matters or matters of academic evaluation are under consideration, shall be open to the public.

Source: Office of the President. Date: 8/1996

## 52. Smoking Policy

Refer to the Institute's Human Resources Manual Section 5.15 for Institute policies on smoking.

## 53. Procurement

Purchasing and Accounts Payable policies and procedures can be found in the Georgia Tech Administrative Policies and Procedures Manual under Business and Finance, Section 5.0 Purchasing and Accounts Payable at: http://www.admin-fin.gatech.edu/business/.

Source: Office of Planning, Business, and Finance. Date: 8/2003

# 54. Information Services

Sections 55 and 56 describe the major information services of the Georgia Institute of Technology and the policies associated with them.

# 55. Library Services

## 55.1 Library Mission

“The Georgia Tech Library and Information Center is a creative partner and essential force in the learning community and in the Institute’s instructional, learning and research programs. The Library plans, develops and implements programs to provide expert staff, information, learning resources, and information competencies to students, faculty, and staff and selected services to off-campus clients. Using appropriate technology, the Library delivers resources to satisfy information needs, promote lifelong learning and create productive connections for the scholarly community.” The Library’s Strategic Plan, 2002-2007 is available at: http://intranet.library.gatech.edu/docs/strategic_plan04.pdf.

## 55.2 Information, Reference, and Research Services

The Library is a 24-hour, professionally-staffed facility from Sunday at noon to Friday at 6:00 p.m. and Saturdays, 9:00 a.m. to 6:00 p.m. (access is limited to Georgia Tech students, faculty, and staff from midnight to 7:30 a.m.). Hours are increased during pre-finals and finals weeks and are reduced during school term breaks and holidays.

The Library’s Information Services Desk is located on the first floor of the Library’s West building. Staff members at the Desk provide information, research, and technical assistance in person, via phone, email, or chat. Information, reference, and circulation services also are provided in the Architecture Library on the first floor of the College of Architecture building. Additionally, subject librarians are assigned to each teaching department or college, and Georgia Tech Research Institute (GTRI), for support in instruction and research. Subject librarians offer orientations, instruction and demonstrations for classes, groups, or individuals as well as customized instruction geared toward specific classes and assignments. To locate a subject librarian, link to http://www.library.gatech.edu/research_help/subject_librarians.html or call the Information Services Department at 404-894-4530.

Subject librarians also are responsible for collection development and welcome faculty and student input on library purchases. The ongoing relevancy of library resources to all Institute degree programs is accomplished through a variety of means including: the Libraries’ collection development policies: http://www.library.gatech.edu/about_us/collection_dev/ and a web-based faculty / student acquisitions’ form: http://www.library.gatech.edu/borrow_order/purchase_request.html.

The Information Services Desk in the Library West Commons (LWC) area is a joint project between the Library and the Office of Information Technology (OIT). The LWC consists of a state-of-the art 80-workstation computer cluster featuring an extensive array of software and access to the Library’s electronic resources. Both information and technical assistance is provided by full-time Library staff and student user assistants. LWC also includes a 20-workstation Multimedia Center featuring cutting-edge multimedia production hardware and software. OIT staff members provide expert assistance, 8:00 a.m. to midnight most days, supporting student and faculty multimedia needs. In addition, the Library partners with faculty to provide LWC cubicles as tutoring space for teaching assistants. Adjacent to the LWC, the Presentation Rehearsal Studio is available for students, featuring smart technology and digital video recording equipment. Technology offered here replicates the computer-supported classrooms on campus.

## 55.3 Library Resources

The Libraries' web site: http://www.library.gatech.edu is a comprehensive and user-friendly primary source of information about Library resources and services for both on- and off-campus users. The web site provides access to the GT Catalog (GIL) [the Library's catalog of books, journals, reports, conference proceedings, etc.], over 250 databases, approximately 13,000 electronic journals, over 30,000 electronic books, electronic reserves, subject guides, other library catalogs, and information about Library services. The Library financially supports the majority of the resources made available to Georgia Tech faculty, researchers, staff, and students. A subset of these resources from GALILEO (Georgia Library Learning Online) and GIL are funded by the Governor and the General Assembly for the University System of Georgia (USG). Databases and full-text sources are available electronically both in the Libraries and at remote locations. Instructions for authorization, authentication and access to the Libraries' resources are at: http://www.library.gatech.edu/research_help/login.html.

All electronic information resources, including Course Reserves materials, provided for access by the Georgia Tech Library and Information Center must be in compliance with U.S. copyright law, the policies of the Board of Regents and the Institute, and any license or contract agreements. Electronic content may be printed, downloaded, or emailed for personal use only. Further information on the fair use of copyrighted materials may be found in the Regents Guide to Understanding Copyright and Educational Fair Use, and at the Georgia Tech Library and Information Center Electronic Reserves "Copyright & Fair Use Guidelines" http://www.library.gatech.edu/course_reserves/copyright.html.

## 55.4 Document Delivery / LENDS

The Library provides a delivery service for faculty called the LENDS Service, which is operated by its Information Delivery Department. This department delivers and picks up Library-owned materials in academic departments and GTRI units. Each campus department has a designated drop-off/pick-up location for the LENDS Service. Requests may be placed at http://www.library.gatech.edu/borrow_order/document_delivery.html, by telephone at 404-894-4511, by fax at 404-894-8190, by email at delivery@library.gatech.edu, and in person at the Library's Information Services Desk on 1st floor West. Article copies are usually delivered as PDF e-mail attachments. Books borrowed can be returned to the Library 1) in a campus envelope addressed to Library Information Delivery and placed at your department's LENDS pick-up location, or 2) dropped off in the Library at the Information Delivery Department on 2nd floor East, the Circulation Department on 1st floor East, or the Information Services Desk on 1st floor West.

## 55.5 Materials Not Available at Georgia Tech (Interlibrary Loan)

It's not possible for the Library to own everything indexed in its many databases and indexes. However, resources the Library doesn't own but which are needed by Georgia Tech constituents can be obtained from a variety of other sources. The Library provides the following ways of obtaining unowned materials:

1. The Information Delivery Department can borrow books and request articles from libraries throughout the U.S and internationally. To place a request for a book, article, etc. link to: http://www.library.gatech.edu/borrow_order/document_delivery.html, or phone: 404-894-4511, or fax: 404-894-8190, or email: delivery@library.gatech.edu, or request in person at either the Information Services Desk on 1st floor West or the Information Delivery Department on 2nd floor East. Books requested are delivered to campus departments by the LENDS Service and most article copies are delivered as PDF e-mail attachments.

2. Library holdings from the 35 University System of Georgia institutions may be searched using the GIL Universal Catalog: http://giluc.usg.edu. Items listed in the GIL Universal Catalog may be borrowed using the "GIL Express" service and delivered to faculty offices via the Library's LENDS Service. For more info, see http://gil.usg.edu/ and link to "GIL Express" in the left-hand frame. Georgia Tech faculty, staff, and students also may borrow circulating materials on-site from the general libraries of the 35University System

of Georgia institutions and Emory University using their Georgia Tech BuzzCard.

3. Interlibrary Use Cards may be obtained at the Circulation Desk on the 1st floor East to borrow materials on-site from other ARCHE (Atlanta Regional Consortium for Higher Education) libraries: http://www.atlantahighered.org/memberservices/library.asp.

4. The OCLC Reciprocal Faculty Borrowing Program provides on-site access and borrowing privileges to many other U.S. research libraries. Borrower's cards may be obtained at the Information Services Desk on 1st floor West or by calling 404-894-4530. For more information, see: http://www.oclc.org/membership/advisorycommittees/profile8.htm.

In addition, keep in mind that many databases on the Library's website offer full-text articles and papers and that electronic journals owned by the Library can be accessed directly at: http://www.library.gatech.edu/search_locate/journals.html.

## 55.6 Circulation Privileges and Policies

The Library's Circulation / Reserves Department is located on the 1st floor East. Faculty and staff may borrow circulating materials owned by the Library for one calendar year with three renewals possible. Videotapes are an exception circulating for three weeks only. Renewals can be made by phone: 404-894-4500, or online in the GT Catalog (GIL), or in person. Journals, reference books, newspapers, some reserve books, indexes & abstracts, and microform materials do not circulate. Depending on the format of the material, copies can be made at the computer desktop, photocopiers or scanners. As indicated above, the Library's LENDS Service can provide copies as well (see Section 55.4 Document Delivery / LENDS). Any copying must be done within the provisions of the U.S. Copyright Law. Additional information about copyright is available in Section 55.3.

In order to promote the best use of the Library's collections, all circulating materials are subject to immediate recall for Course Reserves, or 21 days after the original checkout date if needed by other users. When an item is recalled, an email notice is sent indicating a deadline for return; a second email notice is sent on the first day the recalled book is overdue. A recalled book must be returned on or before the deadline to avoid overdue penalties of $2.50 per day up to a maximum of $25.00. A third notice (a warning letter) is sent via campus mail the day after an overdue recall book reaches the maximum $25.00 fine. If after 45 days there is no response to the letter of warning, a book replacement invoice is sent via campus mail and the invoice is also posted to the individual's Library account. Invoices not paid within 60 days are re-posted to the appropriate department head and dean for payment

## 55.7 Course Reserves

The Library collaborates with faculty by making student assigned readings available on Course Reserves. Most reserve readings are available electronically (Electronic Reserves), while books, videotapes, and other items are made available at the Circulation / Reserves Desk on 1st floor East. Some examples of materials on Course Reserves include: class notes, homework solutions, course syllabi, articles, "Word" (previous exams, quizzes, etc.), books, videotapes, DVDs, etc. For more information, see:

http://www.library.gatech.edu/course_reserves/submit_reserves.html.

## 55.8 Library Facilities

Library & Information Center facilities include:

- Total library space: 208,300 square feet. Main Library building: 202,000 square feet and Architecture

Library: 6,300 square feet. The seating capacity for all Library facilities (the Main Library, Archives and Records Management Department, and the Architecture Library) approaches 1,400 seats;
- Multiple public-use networked computer stations distributed throughout the building, including the Library West Commons (an information commons and multimedia center with 100 workstations) and 4 walk-up workstations; in addition, the Architecture Library has 15 networked workstations. During Summer'05, renovation of the Library East Commons (LEC) began to provide essential spaces for student engagement with completion expected in Spring'06. The LEC will feature networked computer workstations supporting collaborative research productivity, contemporary exhibits space for Georgia Tech artists and award-winning research, an "instant theater" for guest lectures and featured authors, and a café for refreshment;
- Group and individual study spaces, many with walk-up port connections in addition to wireless access throughout the Library building;
- Two Library instruction classrooms (one with 32 workstations and the other with 12 workstations); the larger classroom provides multimedia functionality;
- Sixty-five reservable student/faculty study cubicles available at no charge on a semester or annual basis;
- A video laboratory; and
- A 7,500 square foot Records Center facility.

## 55.9 Gifts and Donations

The Georgia Tech Library & Information Center benefits from donations of materials and monetary gifts that support the teaching and research activities of the Institute. As of 2004, the Library held over 4.2 million books and journal volumes. For more information about donations, see: http://www.library.gatech.edu/about_us/donations_gifts.html.

The Library's Manuscripts collections contain papers of faculty, staff, and alumni which promote research and scholarship associated with the academic curriculum, the campus intellectual output, and Georgia Tech's history. EAD (Encoded Archival Description) finding aids for the manuscript collections are available on the web at: http://www.library.gatech.edu/archives/manuscripts.html.

The Library is happy to receive manuscript collection donations from faculty, staff, and alumni. Please contact the Library's Archives and Records Management Department for further assistance: archives@library.gatech.edu or 404-894-4586.

## 55.10 Emerging Initiatives

In August 2004, in collaboration with campus partners, the Library's Digital Initiatives Department launched SMARTech, or Scholarly Materials And Research @ Georgia Tech. SMARTech is an institutional repository for the capture of the intellectual output of the Institute in support of its teaching and research missions. SMARTech connects stockpiles of digital materials currently in existence throughout campus to create a cohesive, useful, sustainable repository accessible to Georgia Tech and the world. This initiative uses DSpace software, a digital library system to capture, store, index, preserve, and redistribute the intellectual output of a university's faculty and researchers in digital form. For more information, see: http://smartech.gatech.edu/.

Another Library digital initiative is the Electronic Thesis and Dissertation (ETD) Collection. The Institute requires Georgia Tech graduate students to create an electronic version of their thesis or dissertation and deposit it in the ETD Collection found at http://etd.gatech.edu. For more information, see the Library's Theses and Dissertations page.

Source: Library, November 8, 2005

# 56. Information Technology

The Office of Information Technology (OIT) provides technology leadership and support to the Georgia Institute of Technology. In its unique role, OIT serves as the primary source of information technology and telecommunications services and support for students, faculty, staff, and researchers. Services and resources range from operating and maintaining the Georgia Tech Network, which provides Internet connectivity to the entire campus, to protecting the integrity of the Institute's data and critical administrative systems.

OIT consists of six directorates, all under the leadership of John Mullin, associate vice provost, associate vice president and chief information officer for Information Technology and Ron Hutchins, Chief Technology Officer, in charge of Academic Research Technologies.

## 56.1 Academic & Research Technologies (ART)

In collaboration with institutional and industrial technology development groups, ART is tasked with creating and maintaining the large-scale technology architecture on the Georgia Tech campus. The directorate is also responsible for facilitating campus and external partnerships and pilots consistent with the future development of Georgia Tech's architectural concepts and principles, and partnering with other groups in the pursuit of funding for projects in educational technologies, networking, high performance computing, video, and security. Specifically, ART oversees the design, implementation, operation, and support of the Georgia Tech network, the implementation of classroom technologies, and the management of audio/visual technology supporting teaching, learning, and research activities.

## 56.2 Customer Support & Communications (CS&C)

CS&C is responsible for the initial interaction with campus constituents, addressing services related to computer hardware, software, consulting, and contractual support. These services include the central distribution of multiple software applications. The directorate is also responsible for providing timely, accurate, and professional information technology related communications to OIT employees, campus groups, and external groups as appropriate. CS&C manages the Customer Support Center, which provides users with computer account and desktop support, as well as other OIT services, and the Distributed Support program, which provides dedicated, on-site computer and network support for academic, research, and administrative campus units.

## 56.3 Enterprise Information Systems (EIS)

EIS is responsible for designing, implementing, and supporting Georgia Tech's administrative information systems; developing and maintaining the Institute's data repository; researching and evaluating new software tools; and providing technical project management and support to all administrative system customers.

## 56.4 Information Security (IS)

Information Security is responsible for educating the campus community about security related issues, assessing current policies and developing new policies, assisting in strengthening technical measures to protect campus resources, and developing mechanisms to react to incidents and events that endanger the Institute's information assets. The administrative responsibilities of IS include establishing and maintaining a security organization, and developing an integrated security program that supports the accomplishments of the Institute's strategic goals and priorities.

## 56.5 Operations and Engineering (O&E)

O&E is responsible for the design, development, operation, management, and maintenance of critical computing systems that power Georgia Tech. Other services include providing multi-media classroom support, telecommunications support, and web hosting to the campus.

## 56.6 Policy & Strategy (P&S)

P&S coordinates OIT's on-going strategic planning process. The organization provides a collaborative process for identification, prioritization, tracking, and organization-wide change control of OIT initiatives, assuring that IT policy development and maintenance keeps pace with the demand for the use and delivery of sustainable services. The organization shepherds a small portfolio of initiatives that are significantly multi-directorate in scope.

## 56.7 Resource Management (RM)

RM provides centralized management of OIT's budgetary, purchasing, facilities, and human resource functions. RM manages Georgia Tech's electronic data processing (EDP) approval process, revenue, and expense accounting processes related to cost centers, property management, and the functions relating to personnel and policies of the Institute and Board of Regents.

The staff also assists OIT’s chief information officer with coordination of OIT resources related to its long-range strategic plan, and manages Printing and Copying Services (PCS), a full service printing facility located at 811 Marietta Street.

For more information on OIT, please visit http://www.oit.gatech.edu.

Source: Office of Information Technology. Date: 8/2003