

# Faculty Handbook

Georgia Institute of Technology  
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## April 2016 Edition

This *Handbook* is the authoritative source of policies pertaining to the Faculty.

The organization of the *Handbook's* content has changed significantly from the [January 2013 edition](#) in two waves of revision. The first wave resulted in the April 2013 edition and an update in [December 2013](#). The changes found in the July 2014 edition represented the second major wave, covering new definitions of Faculty and their participation in Faculty Governance. These editions contain material covering mostly the same topics as those in the January 2013 edition but in different orders. Recent minor modifications were accepted by the Faculty in their April 21, 2015 and October 20, 2015 meetings. To better trace where particular topics are found from one edition to the next please refer to Comparison Guides to the [January 2013 and December 2013 editions](#), and to the [December 2013 and April 2015 editions](#). The changes in October 2015 did not affect the Comparison Guides.

For any recent changes adopted by the faculty but not yet published here, see this [notice](#).

## 1. Introduction

This *Faculty Handbook* sets out the principles, policies, and procedures relevant to the functions of the Faculty of the Georgia Institute of Technology, and also includes provisions for the academic life of Students of the Institute. It makes reference to certain key principles relevant to the functions of the Board of Regents, the President, and the Administration.

The President is charged with the operation and management of the Institute. Thus, the President has the responsibility and authority to organize or reorganize the administrative functions as the President deems necessary. Details may be found by consulting the current *Georgia Tech Fact Book* found at <http://www.irp.gatech.edu/>.

The Faculty of Georgia Tech sets forth these regulations for its governance and designates them as the *Faculty Handbook* of the Georgia Institute of Technology (hereinafter the *Handbook*). If this *Handbook* diverges from or conflicts with the official policies of the Board of Regents of the University System of Georgia, the Board of Regents' policies shall prevail.

### ***Faculty Handbook: Interpretation and Amendments***

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

Certain parts of the *Handbook* designated as Statutes of the Institute are deemed to be core principles, policies, and procedures essential to orderly conduct of Faculty business and the maintenance of high educational standards. Such Sections are shaded in gold.

Amendments to this *Handbook* 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. The Statutes Committee shall report the proposed amendments and the Committee's recommendations to the Faculty. Provision is made for three levels of amendment:

- Proposed changes in sections identified as Statutes of the Institute will be submitted for a first reading and discussion no later than the second regular meeting of the whole Faculty after the proposed amendments have been received by the Committee unless otherwise directed by the Faculty Executive Board. 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 at least sixty (60) days after the first reading, and must be held during the regular academic year.
- Proposals for changes in sections not identified as part of the Statutes may be amended after just one (1) reading.
- The Statutes Committee is empowered to make editorial changes in the *Handbook* to reflect updates to the titles of Administration officials or the names of departments referenced in the *Handbook*. Notice of such changes shall be made to the Faculty Executive Board.

A favorable vote by two-thirds (2/3) of the Faculty members present shall constitute approval of proposed amendments when a vote of the Faculty is needed. Amendments to this *Handbook* become effective only after approval by the President.

## 2. Faculty Governance

### **The Faculty**

The Faculty of the Institute comprises the Academic Faculty, the Research Faculty, and designated Administrative Officers as defined below. The Faculty is granted the right and responsibility of its own governance; the governance of Students; the creation of such committees as may be required; the prescribing of regulations regarding admission, suspension, expulsion, 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, the Faculty establishes the following bodies: the Faculty Executive Board, the Academic Faculty, the Research Faculty, the Academic Faculty Senate, and the Research Faculty Senate. Some matters will require the Academic Faculty Senate and Research Faculty Senate to meet in joint session which will be termed a meeting of the Faculty Senate. Some matters will require a meeting of the whole Faculty comprising the Academic Faculty, Research Faculty, and designated Administrative Officers. Joint meetings of the Faculty Executive Board and the Georgia Tech Staff Council may be held from time to time for business appropriate to such a gathering.

Any Administrator designated to serve on the Faculty Executive Board, the Academic Faculty Senate, the Research Faculty Senate, or any Standing Committee of the Faculty may appoint another appropriate and qualified Administrator or Faculty member to serve on that body and to carry out any designated duties related to that body in said Administrator's place. Such an appointment must be approved in advance by the Faculty Executive Board.

### **Limitations on Participation in Faculty Governance**

Participants in faculty governance are called on to make long range decisions on behalf of the Institute. Persons elected to serve on faculty bodies typically serve terms of three years. Therefore, participation in faculty governance is appropriate for those with long term commitments to the Institute and those having the time to

devote to faculty governance. Accordingly, the following restrictions will be made:

- Personnel with titles designated as Temporary or Visiting, or having other limited term appointments, will not be eligible to participate in faculty governance.
- Persons holding only adjunct appointments or other honorary titles shall not be considered to be members of the faculty [per [Board of Regents Policy Manual 3.2.1.1](#)].
- Only persons serving the Institute at least 0.75 full-time equivalent (FTE) in eligible positions as defined herein shall qualify to participate in faculty governance, unless otherwise approved by the Faculty Executive Board or specified by the Statutes. Individuals who would otherwise fall into this category but are temporarily employed less than 0.75 FTE or on leave of absence would be suspended from participation in faculty governance for the duration of that situation.

While the above limitations are appropriate in support of sound faculty governance, they do not in any way diminish the important contributions that individuals subject to these limitations render to the Institute.

Within the above limitations, those eligible to participate in faculty governance shall be determined solely on the basis of the position held within the Institute, as specified below in Sections [2.2](#), [2.3](#), and [2.4](#).

### **Secretary of the Faculty**

- A member of the Faculty shall be appointed the Secretary of the Faculty by the President on the recommendation of the Faculty Senate to serve as a permanent secretary of the various Faculty bodies listed above.
- The Secretary shall not serve concurrently as a representative to a faculty body nor as a member of a standing committee and shall be given appropriate released time funded by the Administration.

### **Duties**

- Keep minutes and records
- Post the minutes of the various bodies.
- Accept the Nominating Committee reports from the Faculty Executive Board.
- Under the supervision of the Faculty Executive Board, conduct the elections to fill faculty governance positions addressed by the Nominating Committee. In these elections, 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 office.

## **2.1 Faculty Executive Board**

### **Composition**

- The Faculty Executive Board shall consist of representatives of the Administration, the Faculty as defined below, the Students and the Classified Employees. (See a list of members at <http://www.facultygovernance.gatech.edu/>).
- The representatives of the Administration shall be the President, the Provost, and the Executive Vice-President for Research.
- Representatives of the Faculty shall be elected for terms of three (3) years. Representatives may not be elected to serve consecutive terms.

- Members shall be elected by the following units from their elected representatives in the Academic Faculty Senate and the Research Faculty Senate: each College, the Georgia Tech Research Institute, and a composite unit of Services and Central Administration:
- From the Academic Faculty Senate: Academic Faculty members from each of the above Units shall elect one (1) member to the Faculty Executive Board for each one hundred fifty (150) Academic Faculty (rounded) employed in that Unit. A member chosen for the Faculty Executive Board may not be an administrator. No more than four (4) members per Unit from the Academic Faculty Senate may be elected to the Faculty Executive Board. Each College will be allocated at least one (1) member on the Faculty Executive Board.
- From the Research Faculty Senate: Research Faculty members from each of the above Units shall elect one (1) member to the Faculty Executive Board for each one hundred fifty (150) Research Faculty (rounded) employed in that Unit. A member chosen for the Faculty Executive Board may not be an administrator. No more than four (4) members per Unit from the Research Faculty Senate may be elected to the Faculty Executive Board. If a unit has too few Research Faculty members to result in at least one representative, the Faculty Executive Board will supervise creating an aggregate with one or more other units to provide an opportunity for members from such units to be elected to the Faculty Executive Board.
- Unit representation shall be based on data compiled from the Fall semester preceding the election.
- On election to the Faculty Executive Board, Faculty vacate their membership in the Academic or Research Faculty Senate as an elected representative of their unit. They shall also vacate any position on a Standing Committee of the Faculty.
- The representatives of the Students shall be the President of the Undergraduate Student Body and President of the Graduate Student Body. Neither shall have the right to vote.
- Three representatives of the Classified Employees shall be designated by the Staff Council. These representatives shall not have the right to vote.
- The Chair of the Faculty Executive Board shall be elected annually by the Board from among its elected members.
- A quorum of the Board shall be a majority of its elected members.

## **Powers**

- Function as the executive body of the Faculty and guide the activities of the 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.
- 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 administrative channels for implementation.
- Take whatever action is deemed necessary between meetings of the Academic Faculty, the Research Faculty, or their representative bodies on time-sensitive matters within the jurisdiction of these bodies. If the action is exclusively within the jurisdiction of the Academic Faculty or of the Research Faculty, then only members of the Faculty Executive Board from that Faculty are eligible to vote in considering that action, and a quorum for that vote is a majority of the elected members of that component of the Faculty.
- Plan the programs for the Faculty bodies, and establish the agenda for each meeting. The agenda shall include Standing Committee reports, presentation of issues for consideration and possible action, items suggested by the President, and items raised from the floor.
- Determine whether to add or subtract from the list of job titles designated as members of the Academic Faculty or the Research Faculty.
- Actions taken by the Faculty Executive Board shall be posted online for viewing by the Faculty of the Institute.

## **Nominations**

At the end of each Fall semester, the Faculty Executive Board shall appoint a Nominating Committee.

- The Nominating Committee shall be composed of three (3) members of the Academic Faculty, as defined in Section 2.2.1, three (3) members of the Research Faculty, as defined in Section 2.3.1, and one (1) Student. Of these, one (1) each of the Academic and Research Faculty members shall also be members of the Faculty Executive Board. The Student shall be named jointly by the Student representatives to the Faculty Executive Board. The Chair of the Committee shall be named by the Faculty Executive Board from among the Faculty members of the Committee.
- The Committee shall prepare a slate of nominees to fill positions becoming vacant in the membership of each Standing Committee, the Faculty Executive Board, and such other elections designated for supervision by the Faculty Executive Board. Reports covering each position shall be presented to the Faculty Executive Board. The slate of nominees, when approved by the Faculty Executive Board, will have at least 50% more candidates than positions to be filled in the election for each office. Exceptions can be made when insufficient qualified candidates are available.

## 2.2 Academic Faculty

### 2.2.1 Members - [Edit](#)

Membership in the Academic Faculty of Georgia Tech is defined as those for whom an essential part of their job responsibility is enhancing, leading, developing, and delivering undergraduate, graduate, and professional degree programs. It is understood that Academic Faculty members are also often significantly involved in leading, developing, and delivering research. Membership in the Academic Faculty shall be determined solely on the basis of the position held within the Institute. Titles included shall be consistent with Board of Regents policies for faculty membership and limited to positions with direct involvement in meeting student academic needs.

A list of titles included in the membership of the Academic Faculty shall be maintained by the President's Office and posted on a [website](#) accessible to the Georgia Tech community. Corrections, additions, or deletions from this list shall only be made with the approval of the Faculty Executive Board and the President.

Persons affected by such a change shall be notified. Deletion of particular titles from a list of faculty titles may be appealed to the Faculty Executive Board within 60 days of notification of an affected faculty member and a hearing requested. Such appeals will only address the status of particular titles. Questions about the titles held by individuals and their faculty status should be addressed to their unit and the Office of Human Resources. If there are persons who no longer have Faculty status after a change in the lists of Faculty titles, those persons shall remain entitled to rates of leave accrual available to them in their prior status.

Eligibility for participation in Faculty governance shall follow the guidelines set out in [Section 2](#).

#### **Student Delegates**

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

### 2.2.2 Powers and Meetings - [Edit](#)

#### **Powers**

- Formulate and develop comprehensive educational policies and regulations.
- 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.
- Establish the Standing Committees herein defined and such temporary committees as may be needed to conduct its business in an orderly and efficient manner.
- Consider all candidates for degrees and recommend to the President that the appropriate degree be conferred on each approved candidate.
- 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.
- 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.
- Rescind or modify actions of the Academic Faculty Senate.
- Make recommendations to be considered by the Research Faculty or the whole Faculty.
- Establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified in this *Handbook*.

## Meetings

The President shall be the presiding officer of the Academic Faculty. The Academic Faculty shall meet at least once a year, in the Spring semester. The time of meeting shall be determined by the Faculty Executive Board. One hundred (100) 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 (50) members to the President, or on the recommendation of the Faculty Executive Board. 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 Faculty Executive Board shall preside. All members of the Academic Faculty shall have the right to vote.

Minutes shall be kept by the Secretary of the Faculty and shall be posted online.

## Presidential Veto

The President shall have the power of veto over any action of the Academic Faculty. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Academic Faculty. The Academic Faculty may appeal the veto to the Board of Regents through the Chancellor by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## Standing Committees

The Academic Faculty serves as the parent body to the following Standing Committees whose functions and procedures are specified in Section [2.6](#):

- Institute Undergraduate Curriculum Committee
- Institute Graduate Curriculum 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

- Academic Integrity Committee

Recommendations from these committees may be approved by the Academic Faculty or by its Academic Faculty Senate.

### 2.2.3 Academic Faculty Senate - [Edit](#)

#### **Powers**

The President shall be the presiding officer of the Academic Faculty Senate. All members of the Academic Faculty Senate, except those expressly excluded, shall have the right to vote. The Academic Faculty Senate may act for the Academic Faculty in all matters except the appeal of a Presidential veto of an action of the Academic Faculty in a meeting of that body.

#### **Members**

The Academic Faculty Senate shall comprise:

- Elected members of the Academic Faculty Senate subject to the provisions of ‘Distribution of Elected Representatives’, below.
- Chairs of Academic Faculty Standing Committees
- Ex officio members:
  - The President and the Provost.
  - Without the right to vote; the Vice-President of Student Life, the Vice-Provost for Undergraduate Education, the Vice-Provost for Graduate Education and Faculty Affairs, the Deans of the Colleges and the Library, and the Registrar.
- Elected members of the Faculty Executive Board.
- Two (2) nonvoting Student delegates.

#### **Distribution of Elected Representatives**

There shall be one (1) elected representative for each twenty (20) members (rounded) of the Academic Faculty for each School, the Colleges without Schools, and components of Services and Central Administration (which includes the Libraries and other components). Aggregates of units with fewer than ten (10) members of the Academic Faculty shall be formed as required by the Faculty Executive Board. Unit representation for terms beginning in the Fall semester shall be based on data compiled from the preceding Spring semester.

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

#### **Nomination and Election Procedures**

Representatives of a School, a College, and sub-units of the Services and Central Administration of sufficient size as defined above shall be elected prior to the first meeting of the Academic Faculty Senate in the fall 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 Faculty Executive Board.

The election of representatives shall take place annually, with approximately one-third (1/3) of the representatives being replaced each year when their terms expire.

**Eligibility of Voters and Candidates**

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

- Ex officio members of the Academic Faculty Senate;
- Academic Faculty members who are presently serving as members of the Academic Faculty Senate.
- Academic Faculty members who are presently serving as members of the Faculty Executive Board, including those who are finishing a term at the time of the election.

**Terms of Office**

A representative shall be elected for a three (3)-year term. Representatives may not serve consecutive terms.

**Filling Vacancies**

If a representative resigns, takes leave of absence, is elected to the Faculty Executive Board, or undergoes a change of assignment so that he/she no longer qualifies as a member of the unit which he/she was elected to represent, the Faculty 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 Faculty Executive Board shall appoint an appropriate replacement to serve the remainder of the unexpired term upon recommendation of the Faculty Executive Board's most recent Nominating Committee.

**Meetings**

The Academic Faculty Senate shall hold at least one (1) 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, or upon the recommendation of the Faculty Executive Board. 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 Faculty Executive Board shall preside.

The Academic Faculty 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 of the Faculty and shall be posted online.

**Presidential Veto**

The President shall have the power of veto over any action of the Academic Faculty Senate. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Academic Faculty Senate. The Academic Faculty Senate may appeal the veto to the Board of Regents by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## 2.2.1 Members



Membership in the Academic Faculty of Georgia Tech is defined as those for whom an essential part of their job responsibility is enhancing, leading, developing, and delivering undergraduate, graduate, and professional degree programs. It is understood that Academic Faculty members are also often significantly involved in leading, developing, and delivering research. Membership in the Academic Faculty shall be determined solely on the basis of the position held within the Institute. Titles included shall be consistent with Board of Regents policies for faculty membership and limited to positions with direct involvement in meeting student academic needs.

A list of titles included in the membership of the Academic Faculty shall be maintained by the President's Office and posted on a [website](#) accessible to the Georgia Tech community. Corrections, additions, or deletions from this list shall only be made with the approval of the Faculty Executive Board and the President.

Persons affected by such a change shall be notified. Deletion of particular titles from a list of faculty titles may be appealed to the Faculty Executive Board within 60 days of notification of an affected faculty member and a hearing requested. Such appeals will only address the status of particular titles. Questions about the titles held by individuals and their faculty status should be addressed to their unit and the Office of Human Resources. If there are persons who no longer have Faculty status after a change in the lists of Faculty titles, those persons shall remain entitled to rates of leave accrual available to them in their prior status.

Eligibility for participation in Faculty governance shall follow the guidelines set out in Section [2](#).

### **Student Delegates**

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

## **2.2.2 Powers and Meetings**

### **Powers**

- Formulate and develop comprehensive educational policies and regulations.
- 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.
- Establish the Standing Committees herein defined and such temporary committees as may be needed to conduct its business in an orderly and efficient manner.
- Consider all candidates for degrees and recommend to the President that the appropriate degree be conferred on each approved candidate.
- 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.
- 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.
- Rescind or modify actions of the Academic Faculty Senate.
- Make recommendations to be considered by the Research Faculty or the whole Faculty.
- Establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise

specified in this *Handbook*.

## Meetings

The President shall be the presiding officer of the Academic Faculty. The Academic Faculty shall meet at least once a year, in the Spring semester. The time of meeting shall be determined by the Faculty Executive Board. One hundred (100) 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 (50) members to the President, or on the recommendation of the Faculty Executive Board. 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 Faculty Executive Board shall preside. All members of the Academic Faculty shall have the right to vote.

Minutes shall be kept by the Secretary of the Faculty and shall be posted online.

## Presidential Veto

The President shall have the power of veto over any action of the Academic Faculty. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Academic Faculty. The Academic Faculty may appeal the veto to the Board of Regents through the Chancellor by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## Standing Committees

The Academic Faculty serves as the parent body to the following Standing Committees whose functions and procedures are specified in Section [2.6](#):

- Institute Undergraduate Curriculum Committee
- Institute Graduate Curriculum 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
- Academic Integrity Committee

Recommendations from these committees may be approved by the Academic Faculty or by its Academic Faculty Senate.

## 2.2.3 Academic Faculty Senate

### Powers

The President shall be the presiding officer of the Academic Faculty Senate. All members of the Academic Faculty Senate, except those expressly excluded, shall have the right to vote. The Academic Faculty Senate may act for the Academic Faculty in all matters except the appeal of a Presidential veto of an action of the Academic Faculty in a meeting of that body.

## Members

The Academic Faculty Senate shall comprise:

- Elected members of the Academic Faculty Senate subject to the provisions of ‘Distribution of Elected Representatives’, below.
- Chairs of Academic Faculty Standing Committees
- Ex officio members:
  - The President and the Provost.
  - Without the right to vote; the Vice-President of Student Life, the Vice-Provost for Undergraduate Education, the Vice-Provost for Graduate Education and Faculty Affairs, the Deans of the Colleges and the Library, and the Registrar.
- Elected members of the Faculty Executive Board.
- Two (2) nonvoting Student delegates.

## Distribution of Elected Representatives

There shall be one (1) elected representative for each twenty (20) members (rounded) of the Academic Faculty for each School, the Colleges without Schools, and components of Services and Central Administration (which includes the Libraries and other components). Aggregates of units with fewer than ten (10) members of the Academic Faculty shall be formed as required by the Faculty Executive Board. Unit representation for terms beginning in the Fall semester shall be based on data compiled from the preceding Spring semester.

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

## Nomination and Election Procedures

Representatives of a School, a College, and sub-units of the Services and Central Administration of sufficient size as defined above shall be elected prior to the first meeting of the Academic Faculty Senate in the fall 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 Faculty Executive Board.

The election of representatives shall take place annually, with approximately one-third (1/3) of the representatives being replaced each year when their terms expire.

## Eligibility of Voters and Candidates

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

- Ex officio members of the Academic Faculty Senate;
- Academic Faculty members who are presently serving as members of the Academic Faculty Senate.
- Academic Faculty members who are presently serving as members of the Faculty Executive Board, including those who are finishing a term at the time of the election.

## Terms of Office

A representative shall be elected for a three (3)-year term. Representatives may not serve consecutive terms.

## Filling Vacancies

If a representative resigns, takes leave of absence, is elected to the Faculty Executive Board, or undergoes a change of assignment so that he/she no longer qualifies as a member of the unit which he/she was elected to represent, the Faculty 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 Faculty Executive Board shall appoint an appropriate replacement to serve the remainder of the unexpired term upon recommendation of the Faculty Executive Board's most recent Nominating Committee.

### **Meetings**

The Academic Faculty Senate shall hold at least one (1) 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, or upon the recommendation of the Faculty Executive Board. 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 Faculty Executive Board shall preside.

The Academic Faculty 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 of the Faculty and shall be posted online.

### **Presidential Veto**

The President shall have the power of veto over any action of the Academic Faculty Senate. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Academic Faculty Senate. The Academic Faculty Senate may appeal the veto to the Board of Regents by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## **2.3 Research Faculty**

### **2.3.1 Members - [Edit](#)**

Membership in the Research Faculty of Georgia Tech is defined as those whose primary job responsibility involves leading, developing, and delivering the research, extension, and technology transfer programs of the Institute. Membership in the Research Faculty shall be determined solely on the basis of the position held within the Institute. Titles included shall be consistent with Board of Regents policies for faculty membership.

A list of titles included in the membership of the Research Faculty shall be maintained by the President's Office and posted on a [website](#) accessible to the Georgia Tech community. Corrections, additions, or deletions from this list shall only be made with the approval of the Faculty Executive Board and the President.

Persons affected by such a change shall be notified. Deletion of particular titles from a list of faculty titles may be appealed to the Faculty Executive Board within 60 days of notification of an affected faculty member and a hearing requested. Such appeals will only address the status of particular titles. Questions about the titles held by individuals and their faculty status should be addressed to their unit and the Office of Human Resources. If there

are persons who no longer have Faculty status after a change in the lists of Faculty titles, those persons shall remain entitled to rates of leave accrual available to them in their prior status.

Eligibility for participation in Faculty governance shall follow the guidelines set out in Section [2](#).

### **Student Delegates**

The Students shall be represented by the President of the Undergraduate Student Body and President of the Graduate Student Government Body. Neither shall have the right to vote.

## **2.3.2 Powers and Meetings - [Edit](#)**

### **Powers**

- Establish any ad hoc committees it deems necessary to conduct its business in an orderly and efficient manner
- Define and establish Institute-wide policies on matters of general interest not specifically delegated to the Academic Faculty (see Section [2.2](#)).
- Make recommendations to be considered by the Academic Faculty
- Have the power to rescind or modify actions of the Research Faculty Senate
- Establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified in this *Handbook*.

### **Meetings**

The presiding officer of the Research Faculty shall be the President. The Research Faculty shall hold at least one (1) meeting each during the Fall and Spring semesters, by itself or in combination with the Academic Faculty. One hundred (100) 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 (50) members or upon the recommendation of the Faculty Executive Board. 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 Executive Vice-President for Research (EVPR) shall preside. In the absence of both the President and the EVPR, the Chair of the Faculty Executive Board shall preside. All members of the Research Faculty shall have the right to vote.

Minutes shall be kept by the Secretary of the Faculty and be posted online.

### **Presidential Veto**

The President shall have the power of veto over any action of the Research Faculty. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Research Faculty. The Research Faculty may appeal the veto to the Board of Regents through the Chancellor by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## **2.3.3 Research Faculty Senate - [Edit](#)**

### **Powers**

The President shall be the presiding officer of the Research Faculty Senate. All members of the Research Faculty Senate, except those expressly excluded, shall have the right to vote. The Research Faculty Senate may act for the Research Faculty in all matters except the appeal of a Presidential veto of an action of the Research Faculty in a meeting of that body.

## Members

- Elected representatives, as defined in 'Distribution of Elected Representatives', below.
- Ex officio members:
  - The President and the Executive Vice-President for Research (EVPR).
  - Without the right to vote: Other Executive Vice-Presidents, Vice-President for Research, and the Directors of the Georgia Tech Research Institute and Enterprise Innovation Institute.
- Two (2) nonvoting Student delegates.
- Elected members of the Faculty Executive Board.

## Distribution of Elected Representatives

There shall be one (1) elected representative for each twenty (20) members (rounded) of the Research Faculty for each School, the Colleges without Schools, Georgia Tech Research Institute (GTRI), and components of Services and Central Administration (which includes the Enterprise Innovation Institute, Libraries, and other components). Aggregates of units with fewer than ten (10) members of the Research Faculty shall be formed as required by the Faculty Executive Board. Unit representation for terms beginning in the Fall semester shall be based on data compiled from the preceding Spring semester.

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

## Nomination and Election Procedures

Representatives of a School, a College, 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 above shall be elected prior to the first meeting of the Research Faculty Senate or the full Faculty Senate in the fall 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 Faculty Executive Board.

The election of representatives shall take place annually, with approximately one-third (1/3) of the representatives being replaced each year when their terms expire.

## Eligibility of Voters and Candidates

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

- Ex officio members of the Research Faculty Senate.
- Research Faculty members who are presently serving as members of the Research Faculty Senate.
- Research Faculty members who are presently serving as members of the Faculty Executive Board, including those who are finishing a term at the time of the election.

## Terms of Office

A representative shall be elected for a three (3)-year term. Representatives may not serve consecutive terms.

## Filling Vacancies

If a representative resigns, takes leave of absence, is elected to the Faculty Executive Board, or undergoes a change

of assignment so that he/she no longer qualifies as a member of the unit which he/she was elected to represent, the Faculty 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 Faculty Executive Board shall appoint an appropriate replacement to serve the remainder of the unexpired term upon recommendation of the Faculty Executive Board's most recent Nominating Committee.

### **Meetings**

The Research Faculty Senate shall hold at least one (1) meeting each during the Fall and Spring semesters, by itself or combined with the Academic Faculty Senate. 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 or upon the recommendation of the Faculty Executive Board. 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 Executive Vice-President for Research (EVPR) shall preside. In the absence of both the President and the EVPR, the Chair of the Faculty Executive Board shall preside.

The Research Faculty Senate shall establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified herein or determined by the Research Faculty.

Minutes shall be kept by the Secretary of the Faculty and shall be posted online.

### **Presidential Veto**

The President shall have the power of veto over any action of the Research Faculty Senate. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Research Faculty Senate. The Research Faculty Senate may appeal the veto to the Board of Regents by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## **2.3.1 Members**

Membership in the Research Faculty of Georgia Tech is defined as those whose primary job responsibility involves leading, developing, and delivering the research, extension, and technology transfer programs of the Institute. Membership in the Research Faculty shall be determined solely on the basis of the position held within the Institute. Titles included shall be consistent with Board of Regents policies for faculty membership.

A list of titles included in the membership of the Research Faculty shall be maintained by the President's Office and posted on a [website](#) accessible to the Georgia Tech community. Corrections, additions, or deletions from this list shall only be made with the approval of the Faculty Executive Board and the President.

Persons affected by such a change shall be notified. Deletion of particular titles from a list of faculty titles may be appealed to the Faculty Executive Board within 60 days of notification of an affected faculty member and a hearing requested. Such appeals will only address the status of particular titles. Questions about the titles held by individuals and their faculty status should be addressed to their unit and the Office of Human Resources. If there

are persons who no longer have Faculty status after a change in the lists of Faculty titles, those persons shall remain entitled to rates of leave accrual available to them in their prior status.

Eligibility for participation in Faculty governance shall follow the guidelines set out in Section [2](#).

### **Student Delegates**

The Students shall be represented by the President of the Undergraduate Student Body and President of the Graduate Student Government Body. Neither shall have the right to vote.

## **2.3.2 Powers and Meetings**

### **Powers**

- Establish any ad hoc committees it deems necessary to conduct its business in an orderly and efficient manner
- Define and establish Institute-wide policies on matters of general interest not specifically delegated to the Academic Faculty (see Section [2.2](#)).
- Make recommendations to be considered by the Academic Faculty
- Have the power to rescind or modify actions of the Research Faculty Senate
- Establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified in this *Handbook*.

### **Meetings**

The presiding officer of the Research Faculty shall be the President. The Research Faculty shall hold at least one (1) meeting each during the Fall and Spring semesters, by itself or in combination with the Academic Faculty. One hundred (100) 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 (50) members or upon the recommendation of the Faculty Executive Board. 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 Executive Vice-President for Research (EVPR) shall preside. In the absence of both the President and the EVPR, the Chair of the Faculty Executive Board shall preside. All members of the Research Faculty shall have the right to vote.

Minutes shall be kept by the Secretary of the Faculty and be posted online.

### **Presidential Veto**

The President shall have the power of veto over any action of the Research Faculty. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Research Faculty. The Research Faculty may appeal the veto to the Board of Regents through the Chancellor by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## **2.3.3 Research Faculty Senate**



## **Powers**

The President shall be the presiding officer of the Research Faculty Senate. All members of the Research Faculty Senate, except those expressly excluded, shall have the right to vote. The Research Faculty Senate may act for the Research Faculty in all matters except the appeal of a Presidential veto of an action of the Research Faculty in a meeting of that body.

## **Members**

- Elected representatives, as defined in 'Distribution of Elected Representatives', below.
- Ex officio members:
  - The President and the Executive Vice-President for Research (EVPR).
  - Without the right to vote: Other Executive Vice-Presidents, Vice-President for Research, and the Directors of the Georgia Tech Research Institute and Enterprise Innovation Institute.
- Two (2) nonvoting Student delegates.
- Elected members of the Faculty Executive Board.

## **Distribution of Elected Representatives**

There shall be one (1) elected representative for each twenty (20) members (rounded) of the Research Faculty for each School, the Colleges without Schools, Georgia Tech Research Institute (GTRI), and components of Services and Central Administration (which includes the Enterprise Innovation Institute, Libraries, and other components). Aggregates of units with fewer than ten (10) members of the Research Faculty shall be formed as required by the Faculty Executive Board. Unit representation for terms beginning in the Fall semester shall be based on data compiled from the preceding Spring semester.

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

## **Nomination and Election Procedures**

Representatives of a School, a College, 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 above shall be elected prior to the first meeting of the Research Faculty Senate or the full Faculty Senate in the fall 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 Faculty Executive Board.

The election of representatives shall take place annually, with approximately one-third (1/3) of the representatives being replaced each year when their terms expire.

## **Eligibility of Voters and Candidates**

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

- Ex officio members of the Research Faculty Senate.
- Research Faculty members who are presently serving as members of the Research Faculty Senate.
- Research Faculty members who are presently serving as members of the Faculty Executive Board, including those who are finishing a term at the time of the election.

## **Terms of Office**

A representative shall be elected for a three (3)-year term. Representatives may not serve consecutive terms.

## **Filling Vacancies**

If a representative resigns, takes leave of absence, is elected to the Faculty Executive Board, or undergoes a change of assignment so that he/she no longer qualifies as a member of the unit which he/she was elected to represent, the Faculty 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 Faculty Executive Board shall appoint an appropriate replacement to serve the remainder of the unexpired term upon recommendation of the Faculty Executive Board's most recent Nominating Committee.

### **Meetings**

The Research Faculty Senate shall hold at least one (1) meeting each during the Fall and Spring semesters, by itself or combined with the Academic Faculty Senate. 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 or upon the recommendation of the Faculty Executive Board. 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 Executive Vice-President for Research (EVPR) shall preside. In the absence of both the President and the EVPR, the Chair of the Faculty Executive Board shall preside.

The Research Faculty Senate shall establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified herein or determined by the Research Faculty.

Minutes shall be kept by the Secretary of the Faculty and shall be posted online.

### **Presidential Veto**

The President shall have the power of veto over any action of the Research Faculty Senate. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Research Faculty Senate. The Research Faculty Senate may appeal the veto to the Board of Regents by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## **2.4 Administrative Officers**

Some Administrative Officers appointed by the President with the approval of the Board of Regents shall be designated as members of the Academic Faculty or Research Faculty at the time of appointment (*Board of Regents Policy Manual* [3.2.1.2](#))

The Academic Faculty will include the following Administrative Officers of the Institute: the president, the administrative and academic deans, registrar, librarian and chief fiscal officer (*Board of Regents Policy Manual* [3.2.1.3](#)).

The President may designate other full-time Administrative Officers as ex-officio members of the Academic Faculty or Research Faculty in consultation with the Faculty Executive Board (*Board of Regents Policy Manual* [3.2.1.3](#)). Administrative Officers may be designated as voting members of the Academic Faculty or Research Faculty with approval of the Faculty Executive Board; otherwise, the position shall be non-voting.

When a person is first appointed to a position in the Academic Faculty or Research Faculty and later accepts a role as an Administrative Officer, that person may participate in faculty governance as a member of the Faculty body corresponding to either title. Such a person will be subject to restrictions on administrators serving on Standing Committees or the Faculty Executive Board as laid out in Sections [2.1](#) and [2.6](#).

## 2.5 Combined Meetings

### 2.5.1 Powers and Meetings of the Whole Faculty - [Edit](#)

#### Powers

The presiding officer of a meeting of the whole Faculty shall be the President. All members of the Faculty as defined above shall have the right to vote.

The Faculty shall:

- Establish the Standing Committees herein defined and such ad hoc or temporary committees as may be needed to conduct its business in an orderly and efficient manner;
- Define and establish Institute-wide policies on matters of general interest not specifically delegated to the Academic Faculty or the Research Faculty (see Sections [2.2](#) and [2.3](#));
- Accept or reject proposed changes to this *Handbook*;
- Make recommendations to be considered by the Academic Faculty or the Research Faculty;
- Have the power to rescind or modify actions of the combined Faculty Senate; and
- Establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified in this *Handbook*.

#### Meetings

The whole Faculty shall hold at least one (1) meeting each during the Fall and Spring semesters. One hundred (100) 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 (50) members or upon the recommendation of the Faculty Executive Board. 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 Executive Vice-President for Research shall preside. In the absence of all of the above, the Chair of the Faculty Executive Board shall preside.

All members of the Academic Faculty and the Research Faculty shall have the right to vote. Minutes shall be kept by the Secretary of the Faculty and shall be posted online.

#### Presidential Veto

The President shall have the power of veto over any action of the whole Faculty. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Faculty. The Faculty may appeal the veto to the Board of Regents through the Chancellor by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

#### Standing Committees

The whole Faculty serves as the parent body to the following Standing Committees whose functions and procedures are specified in [Section 2.6](#):

- Faculty Honors Committee
- Faculty Status and Grievance Committee
- Statutes Committee
- Faculty Services Committee

In addition, the Faculty will continue to maintain Standing Committees for Faculty Benefits and for Welfare and Security until such time as a transition to a possible joint committee with Classified Staff is realized.

Recommendations from the above committees may be approved by the whole faculty or by the Faculty Senate.

## 2.5.2 Meetings and Powers of the Faculty Senate - [Edit](#)

A joint meeting of the Academic Faculty Senate and Research Faculty Senate shall be termed a meeting of the Faculty Senate. A majority of the combined membership of the two senates shall constitute a quorum at a scheduled or properly called meeting.

If any College, GTRI, or the composite unit of Services and Central Administration qualifies for more representatives than a limit of one-third (1/3) of the total voting members of the Faculty Senate, the Faculty Executive Board shall work with the sub-unit(s) with the largest number of representatives to reduce their representation so that the limit is maintained.

The President shall be the presiding officer of the Faculty Senate. Voting privileges are the same as those pertaining to the members of the Academic Faculty Senate and the Research Faculty Senate. The chairs of all Faculty Standing Committees are deemed also to be voting members of the Faculty Senate if not already designated. Ex officio members of the Academic Faculty Senate and the Research Faculty Senate are ex officio to the Faculty Senate with the same voting status as in those bodies. The Faculty Senate may act for the Faculty in all matters except the amendment of the *Faculty Handbook* and the appeal of a Presidential veto of an action of the Faculty in a meeting of that body.

The Faculty Senate shall hold at least one (1) meeting each during the Fall and Spring semesters. 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 or upon the recommendation of the Faculty Executive Board. 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 Executive Vice-President for Research shall preside. In the absence of all of the above, the Chair of the Faculty Executive Board shall preside.

The Faculty Senate shall establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified herein or determined by the Faculty.

Minutes shall be kept by the Secretary of the Faculty and shall be posted online.

### **Presidential Veto**

The President shall have the power of veto over any action of the Faculty Senate. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Faculty Senate. The Faculty Senate may appeal the veto to the Board of Regents by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## 2.5.3 Combined Meetings of the Faculty Executive Board and the Georgia Tech Staff Council

[- Edit](#)

Joint meetings of the Faculty Executive Board and the Georgia Tech Staff Council may be held from time to time to provide the Institute with advice concerning matters of mutual interest and wide applicability to employees across the Institute. Such meetings will be arranged by mutual agreement between the Chairs of these bodies and with the concurrence of the President or the President's designee.

### Standing Committees

The Faculty and the Georgia Tech Staff Council may charter some Standing Committees jointly and establish appropriate procedures for the selection of members of these committees. The Faculty Executive Board shall act on behalf of the Faculty for their part in establishing and coordinating the activities of such committees. It is expected that such committees will cover topics of wide interest to both faculty and staff, such as benefits, employee welfare, and security. Recommendations from these committees may be heard in joint meetings of the Faculty Executive Board and Georgia Tech Staff Council or separately by mutual agreement of the chartering organizations.

## 2.5.1 Powers and Meetings of the Whole Faculty

### Powers

The presiding officer of a meeting of the whole Faculty shall be the President. All members of the Faculty as defined above shall have the right to vote.

The Faculty shall:

- Establish the Standing Committees herein defined and such ad hoc or temporary committees as may be needed to conduct its business in an orderly and efficient manner;
- Define and establish Institute-wide policies on matters of general interest not specifically delegated to the Academic Faculty or the Research Faculty (see Sections [2.2](#) and [2.3](#));
- Accept or reject proposed changes to this *Handbook*;
- Make recommendations to be considered by the Academic Faculty or the Research Faculty;
- Have the power to rescind or modify actions of the combined Faculty Senate; and
- Establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified in this *Handbook*.

### Meetings

The whole Faculty shall hold at least one (1) meeting each during the Fall and Spring semesters. One hundred (100) 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 (50) members or upon the recommendation of the Faculty Executive Board. 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 Executive Vice-President for Research shall preside. In the absence of all of the above, the Chair of the Faculty Executive Board shall preside.

All members of the Academic Faculty and the Research Faculty shall have the right to vote. Minutes shall be kept

by the Secretary of the Faculty and shall be posted online.

### **Presidential Veto**

The President shall have the power of veto over any action of the whole Faculty. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Faculty. The Faculty may appeal the veto to the Board of Regents through the Chancellor by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

### **Standing Committees**

The whole Faculty serves as the parent body to the following Standing Committees whose functions and procedures are specified in [Section 2.6](#):

- Faculty Honors Committee
- Faculty Status and Grievance Committee
- Statutes Committee
- Faculty Services Committee

In addition, the Faculty will continue to maintain Standing Committees for Faculty Benefits and for Welfare and Security until such time as a transition to a possible joint committee with Classified Staff is realized.

Recommendations from the above committees may be approved by the whole faculty or by the Faculty Senate.

## **2.5.2 Meetings and Powers of the Faculty Senate**

A joint meeting of the Academic Faculty Senate and Research Faculty Senate shall be termed a meeting of the Faculty Senate. A majority of the combined membership of the two senates shall constitute a quorum at a scheduled or properly called meeting.

If any College, GTRI, or the composite unit of Services and Central Administration qualifies for more representatives than a limit of one-third (1/3) of the total voting members of the Faculty Senate, the Faculty Executive Board shall work with the sub-unit(s) with the largest number of representatives to reduce their representation so that the limit is maintained.

The President shall be the presiding officer of the Faculty Senate. Voting privileges are the same as those pertaining to the members of the Academic Faculty Senate and the Research Faculty Senate. The chairs of all Faculty Standing Committees are deemed also to be voting members of the Faculty Senate if not already designated. Ex officio members of the Academic Faculty Senate and the Research Faculty Senate are ex officio to the Faculty Senate with the same voting status as in those bodies. The Faculty Senate may act for the Faculty in all matters except the amendment of the *Faculty Handbook* and the appeal of a Presidential veto of an action of the Faculty in a meeting of that body.

The Faculty Senate shall hold at least one (1) meeting each during the Fall and Spring semesters. 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 or upon the recommendation of the Faculty Executive Board. 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 Executive Vice-President for Research shall preside. In the absence of all of the above, the Chair of the Faculty Executive Board shall preside.

The Faculty Senate shall establish its rules of procedure and determine all matters pertaining to its own meetings not otherwise specified herein or determined by the Faculty.

Minutes shall be kept by the Secretary of the Faculty and shall be posted online.

### **Presidential Veto**

The President shall have the power of veto over any action of the Faculty Senate. The President shall notify the Secretary of the Faculty, in writing, of the veto and the reasons for it, within sixty (60) days from the date of the action of the Faculty Senate. The Faculty Senate may appeal the veto to the Board of Regents by a two-thirds (2/3) vote of the members present at a scheduled or properly called meeting. Any such appeal shall be sent via the President who shall forward it to the Board of Regents through the Chancellor.

## **2.5.3 Combined Meetings of the Faculty Executive Board and the Georgia Tech Staff Council**

Joint meetings of the Faculty Executive Board and the Georgia Tech Staff Council may be held from time to time to provide the Institute with advice concerning matters of mutual interest and wide applicability to employees across the Institute. Such meetings will be arranged by mutual agreement between the Chairs of these bodies and with the concurrence of the President or the President's designee.

### **Standing Committees**

The Faculty and the Georgia Tech Staff Council may charter some Standing Committees jointly and establish appropriate procedures for the selection of members of these committees. The Faculty Executive Board shall act on behalf of the Faculty for their part in establishing and coordinating the activities of such committees. It is expected that such committees will cover topics of wide interest to both faculty and staff, such as benefits, employee welfare, and security. Recommendations from these committees may be heard in joint meetings of the Faculty Executive Board and Georgia Tech Staff Council or separately by mutual agreement of the chartering organizations.

## **2.6 Standing Committees of the Faculty**

There are two categories of Faculty Standing Committee: those of the Faculty as a whole and those of the Academic Faculty, as follows:

### **Faculty**

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

### **Academic Faculty**

- Institute Undergraduate Curriculum Committee

- Institute Graduate Curriculum 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
- Academic Integrity Committee

(See <http://www.facultygovernance.gatech.edu/> for of members of the various Standing Committees.)

Each Committee is expected to assemble and evaluate information relevant to its charges, to propose policies or procedures for consideration by the parent body, and to make other recommendations for action by the parent body. After approval of a policy or procedure by the parent body, the Committee is charged with assuring that all employees and units of the Institute act in accord with the policy. A 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.

### **Procedures**

Each Standing Committee may establish its own rules of procedure, consistent with the policies of the parent body.

### **Members**

Standing Committees shall be composed of eligible Faculty, Administrators, and Students. Committee membership is by election or specific designation as provided by this *Handbook*. Limitations on service are covered below.

Administrators named by this *Handbook* to be members of Standing Committees serve permanent and continuing terms, since they represent a relevant office or staff. Members of an Administrator's office or staff may be requested to meet with the Committee for consultation.

### **Election of Members**

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 Faculty Executive Board, with the assistance of its Nominating Committee, 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 Faculty members of a Standing Committee shall serve a three (3)-year term beginning at the start of the Fall semester and may succeed themselves once. Elected members shall serve on no more than two (2) Standing Committees simultaneously.

Student members of a Standing Committee, whether elected by the Undergraduate and/or Graduate Student Government Association or specifically designated by this *Handbook*, shall serve a one (1) year term beginning at the start of the Fall semester of each academic year. They may succeed themselves once.

### **Replacement of Members**

If an elected Faculty or Administration 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 Faculty 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 Faculty Executive Board shall appoint an appropriate replacement to serve the remainder of the unexpired term upon recommendation of the Faculty Executive Board's Nominating Committee. When the Chair of a Standing Committee is to be absent from the Institute for an entire semester, the committee shall elect a chair pro tempore for the period of absence.

When a Student member of a Standing Committee resigns or is no longer qualified for the position in which he/she serves, the Undergraduate and/or Graduate Student Government Association will appoint a successor for the remainder of the academic year and shall inform the Secretary of the Faculty.

## **Limitations upon Service**

### **Faculty Executive Board Membership**

Faculty members who are members of a Standing Committee (or Committees) may be candidates for the Faculty Executive Board. If elected, they must resign from the Standing Committee(s). No elected members of the Faculty Executive Board shall serve on a Standing Committee.

### **School Chairs**

Chairs of Schools and similar level unit leaders shall, for the purpose of election to committee membership, be considered members of the Academic Faculty and not as Administrators. Chairs may not be elected to membership on committees charged with reviewing or overseeing the Chair's actions as an administrator.

### **Administrators**

Administrators or Faculty members shall not be eligible to serve on Standing Committees that are charged with reviewing or overseeing their administrative functions, unless this *Handbook* specifically provides otherwise. Administrators named by this *Handbook* to be members of Standing Committees serve permanent and continuing terms.

## **Voting in Committee**

All members of a Standing Committee have the right to vote unless specifically excluded by this *Handbook*. A committee may establish its own rules of procedure insofar as such rules are in agreement with the policies of the parent body. A committee quorum shall be a majority of the voting membership.

## **Meetings**

Any member of a committee may request that the Chair 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. No member of a Standing Committee shall participate in the consideration of an appeal of the member's own decision rendered in the performance of other duties.

Between meetings of the the Academic Faculty, the Research Faculty, or their representative bodies any matters requiring emergency action and not delegated to a Standing Committee shall be referred to the Faculty Executive Board. Standing Committees charged with judicial activities, either in initial hearings or appeals, shall proceed with dispatch to hear the cases and render decisions.

During its deliberations and before making recommendations, a Standing Committee shall consult with offices and persons having responsibility relevant to its charges.

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

including the approval of all action items. Annually, each Standing Committee shall submit a written report to the Secretary of the Faculty detailing its activities and findings. This report will be posted online and an oral summary shall be made to the Faculty.

### **Subcommittees**

When a Standing Committee needs assistance to accomplish its charge, the Chair may appoint appropriate subcommittees with approval of a majority of the Committee and the approval of the Faculty Executive Board.

Subcommittees so appointed shall be chaired by a member of the appointing Standing Committee, unless otherwise approved by the Faculty Executive Board, and shall be composed of appropriate persons in the Institute. Sub-committees 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.

## **2.6.1 Faculty Benefits Committee**

The Faculty Benefits Committee shall continue as a Standing Committee of the whole Faculty until such time as a possible joint faculty and staff committee or committees covering similar purposes can be arranged. The Faculty Executive Board shall work on behalf of the Faculty in collaboration with the Georgia Tech Staff Council to develop suitable arrangements for a joint committee or committees to this end. If suitable arrangements can be made, they will be proposed to the Faculty to conclude the dissolution of the Faculty Benefits Committee and thenceforth to continue with joint committee(s). Until such time, the following procedures shall be followed:

### **Members**

The Faculty Benefits committee shall consist of:

- Five (5) members of the Faculty elected by that body; the Administrator in charge of financial affairs;
- Three (3) staff members and one (1) retired faculty member, appointed by the Faculty Executive Board; and
- One (1) Student with at least junior standing elected jointly by the Undergraduate Student Government Association and the Graduate Student Government Association.

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 members.

### **Duties**

The Committee shall:

- Originate or receive recommendations relative to employee benefits.
- Review annually Institute policy, plans, and procedures on such matters as insurance, retirement, sick leave, death benefits, and vacations.
- Review annually 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.
- Make a comprehensive review of the complete insurance program at least every fifth year.
- Promote the development of facilities for the benefit of Faculty and Staff members.

## 2.6.2 Faculty Honors Committee

### **Members**

The Faculty Honors Committee shall consist of:

- Six (6) members of the Faculty elected by that body, and
- One (1) Student with at least junior standing elected jointly by the Undergraduate Student Government Association and the Graduate Student Government Association.

The Chair shall be elected annually by the committee from among the elected Faculty members. The Chair shall appoint a Secretary from among the other members.

### **Duties**

The Committee shall:

- Originate or receive names of Faculty members to be nominated for honors and awards.
- Evaluate and take appropriate action for the awarding of such honors and awards.
- Assist in planning annual events such as the retirement dinner.

## 2.6.3 Faculty Status and Grievance Committee

### **Members**

The Faculty Status and Grievance Committee (FSGC) shall consist of

- Seven (7) members of the Faculty, who are not administrators, elected by the Faculty.
- At least four (4) shall carry the rank of Professor.

The Chair shall be elected annually by the Committee. The Chair shall appoint a Secretary from among the other members.

### **Duties**

The Committee may:

- Review the 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 Faculty.
- Investigate variations in the application of such policies by the units within the Institute.

This Committee will furnish recommendations from any such review to the Faculty for transmission to the President.

The Committee shall:

- Act as the first review board in cases of contested dismissals of members of the Faculty
- Receive from any Faculty member information, suggestions, grievances, or criticisms concerning any aspect of the Institute operations or relations between or among faculty members. Evaluate these and transmit constructive criticism and recommendations to appropriate individuals or committees or directly to the Faculty.

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 state the type of issues involved and actions taken.

Records of Committee proceedings and supporting documents shall be preserved by the Secretary. 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.

Procedures followed by the Committee in addressing faculty grievances are set out in Section [3.1.9](#).

## 2.6.4 Statutes Committee

### Members

The Statutes Committee shall consist of:

- Five (5) Faculty members elected by the Faculty,
- At least two (2) of which are also members of the Academic Faculty, and
- One (1) Student with at least junior standing elected jointly by the Undergraduate Student Government Association and the Graduate Student Government Association.

The Chair shall be elected annually by the Committee from the elected Faculty members.

### Duties

The Committee shall:

- Originate, or receive and consider, all proposed amendments to this *Handbook*.
- Maintain archival copies of previous editions of this *Handbook*.
- Review institutional documents such as administrative manuals, regulations, and catalogs, to ensure consistency with this *Handbook*.

## 2.6.5 Faculty Services Committee

### Members

The Faculty Services Committee shall consist of:

- Six (6) Faculty members elected by the Faculty,
- Two (2) Administrators elected from the Faculty; and
- One (1) Student with at least junior standing elected jointly by the Undergraduate Student Government

Association and the Graduate Student Government Association.

The Chair shall be elected by the Committee from among the elected non-administrative Faculty members. The Chair shall appoint a Secretary from among the other members.

#### **Duties**

The Committee shall review annually the Institute's policies and procedures governing functions providing support to the work of the Faculty, including the Library, Professional Education, and Research Centers..

## 2.6.6 Welfare and Security Committee

The Welfare and Security Committee shall continue as a Standing Committee of the whole Faculty until such time as a possible joint faculty and staff committee or committees covering similar purposes can be arranged. The Faculty Executive Board shall work on behalf of the Faculty in collaboration with the Georgia Tech Staff Council to develop suitable arrangements for a joint committee or committees to this end. If suitable arrangements can be made, they will be proposed to the Faculty to conclude the dissolution of the Welfare and Security Committee and thenceforth to continue with joint committee(s). Until such time, the following procedures shall be followed:

#### **Members**

The Welfare and Security Committee shall consist of:

- Four (4) Faculty members elected by the body,
- Two (2) Administrators elected from the Faculty;
- Up to three (3) Classified Staff members appointed by the Faculty Executive Board; and
- One (1) Student with at least junior standing elected jointly by the Undergraduate Student Government Association and the Graduate Student Government Association.

The Chair shall be elected annually by the Committee from among the elected nonadministrative Faculty members. The Chair shall appoint a Secretary from among the other members.

#### **Duties**

The Committee shall review annually the policies and procedures governing institutional functions concerned with health, safety, and the general welfare, including campus planning, campus security, parking, safety and fire protection, radiation safety, civil defense, Auxiliary Services, and the Health Center.

## 2.6.7 Institute Undergraduate Curriculum Committee

#### **Members**

The Institute Undergraduate Curriculum Committee shall be composed of representatives of the Administration, the Academic Faculty, and the Students.

The Administration shall be represented by the Vice-Provost for Undergraduate Education and the Dean of Students. The Registrar shall be the Secretary.

The Academic Faculty shall be represented by members elected by the Academic Faculty from tenured or tenure-track Faculty members who are not Administrators, determined as follows:

- Ten (10) 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 (10) 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 (2) and no more than seven (7) members. These adjustments may result in a total number somewhat different from twenty (20).
- Changes in the number of College representatives shall be made when the criterion for such changes has been met for two (2) successive years; however, any individual elected shall have a full term of office regardless of such changes in the number of representatives.

The Students shall be represented by one (1) member with at least junior standing elected by the Undergraduate Student Government Association.

The Chair shall be elected annually by the Committee from among the elected Academic Faculty members.

### **Duties**

The Committee shall:

- Recommend to the Academic Faculty the requirements for all undergraduate degrees and propose changes in undergraduate degree requirements and curricula;
- Evaluate all proposals for new undergraduate courses and degree programs from each Instructional Unit and transmit them with recommendations to the Academic Faculty for action;
- Recommend to the Academic Faculty guidelines regulating Student petitions for course substitution and grade corrections
- Rule on requests and appeals by undergraduate Students for exceptions to established rules and regulations in academic matters
- Review new methods, aids, and techniques of instruction in order to make recommendations to the Academic Faculty or to the appropriate Instructional Unit.

## **2.6.8 Institute Graduate Curriculum Committee**

### **Members**

The Institute Graduate Curriculum Committee shall be composed of representatives of the Administration, the Academic Faculty, and the Students.

The Administration shall be represented by the Vice-Provost for Graduate Education and Faculty Affairs and by the Registrar who shall be Secretary.

The Academic Faculty shall be represented by members elected by the Academic Faculty from tenured or tenure-

track Faculty members who are not Administrators, determined as follows:

- Twenty (20) 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 (2) and no more than seven (7) members. These adjustments may result in a total number somewhat different from twenty (20).
- Changes in the number of representatives for each College shall be made when the criterion for such changes has been met for two (2) successive years; however, any individual elected shall have a full term of office regardless of such changes in representation.

The Students shall be represented by one (1) graduate Student elected by the Graduate Student Government Association.

The Chair shall be elected annually by the Committee from among the elected Academic Faculty members.

### **Duties**

The Committee shall:

- Recommend the minimum requirements for all graduate degrees and propose changes in graduate degree requirements and curricula.
- Evaluate all proposals for new graduate courses and degree programs from each Instructional Unit and transmit them with recommendations to the Academic Faculty for action.
- 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.
- Rule on requests and appeals by graduate Students for exceptions to established rules and regulations in academic matters.
- 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.
- Decide, in consultation with the Instructional Unit concerned, what undergraduate courses may be accepted for graduate credit.
- Develop policy for qualifications of Faculty members who teach graduate courses and direct thesis research.
- Develop policy for the awarding of graduate fellowships, scholarships, and assistantships.

## **2.6.9 Student Regulations Committee**

### **Members**

The Student Regulations Committee shall consist of:

- Four (4) members of the Academic Faculty, including at least two (2) tenured or tenure-track members.
- Two (2) administrators elected from the Academic Faculty.
- Two (2) undergraduate Students with at least junior standing elected by the Undergraduate Student Government Association.
- One (1) graduate Student elected by the Graduate Student Government Association.
- Ex officio, without a vote:

- Vice-President for Student Affairs
- Registrar

The Chair shall be elected annually by the Committee from among the elected Faculty members. The Chair shall appoint the Secretary from among the remaining members of the Committee.

### **Duties**

The Committee shall:

- Originate or receive all proposed changes in or amendments to Institute policies and regulations pertaining to the student body, both graduate and undergraduate.
- Review any proposed changes to determine whether they are in accord with this *Handbook* and make recommendations concerning proposed changes to the Academic Faculty.
- Define and publish, with the approval of the Academic Faculty and the President, the official policy of the Institute concerning acceptable student conduct and academic integrity. This policy shall define categories of offenses and penalties.

## **2.6.10 Student Academic and Financial Affairs Committee**

### **Members**

The Student Academic and Financial Affairs Committee shall consist of

- Five (5) members of the Academic Faculty, including at least three (3) tenured or tenure-track;
- The Registrar, who shall be the Secretary;
- One (1) graduate Student elected by the Graduate Student Government Association;
- Two (2) undergraduate Students with at least junior standing elected by the Undergraduate Student Government Association; and
- The Administrator in charge of the Georgia Tech Counseling Center who shall be an ex officio member without voting rights.

The Chair shall be elected annually by the Committee from among the elected Academic Faculty members.

### **Duties**

The Committee shall annually review and make appropriate recommendations to the Academic Faculty concerning:

- The system for academic advising;
- Policy governing the academic standing and classification of Students;
- Both graduate and undergraduate financial aid programs;
- The counseling and career planning program; and
- The orientation program for new Students.

In addition, the Committee shall:

- Establish and periodically review the qualifications for a Student to receive academic honors and prizes and advise the office or the individual responsible for the formal programs at which such awards are presented.
- Originate or receive and make recommendations regarding all changes in policy, criteria, or procedures regarding Student admission and readmission to the undergraduate programs of the Institute. Originate or



receive and make recommendations regarding all changes in policy, criteria, or procedures regarding Student admission and readmission to the undergraduate programs of the Institute.

- Approve all intercollegiate schedules of extracurricular activities, such as athletics and debate, including post season athletic events.
- Approve all institutional functions for which excused absences from classes for the Students involved are to be granted.

## 2.6.11 Student Activities Committee

### Members

The Student Activities Committee shall consist of:

- Five (5) members of the Academic Faculty;
- Vice-President of Student Life;
- One (1) graduate Student elected by the Graduate Student Government Association; and
- Two (2) undergraduate Students with at least junior standing elected by the Undergraduate Student Government Association.

The Chair shall be elected annually by the Committee from among the elected Academic Faculty members. The Chair shall appoint the Secretary from among the remaining members of the Committee.

### Duties

The Committee shall:

- Receive and consider all proposed changes in any Constitution of the Student Body and make appropriate recommendations to the Academic Faculty.
- Consider for approval all charters of student organizations recommended by the Student Government Association and make appropriate recommendations to the Academic Faculty.
- 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.
- Review all proposals from the Student Government to the President recommending the amount and distribution of student activities fees.

## 2.6.12 Student Grievance and Appeal Committee

### Members

The Student Grievance and Appeal Committee shall consist of:

- Three (3) members elected from the Academic Faculty, including two (2) tenured or tenure-track; and

- Two (2) students with at least junior standing elected jointly by the Undergraduate and Graduate Student Government Associations.

The Chair shall be elected annually by the Committee from among the elected Academic Faculty members. The Chair shall appoint the Secretary from among the remaining members of the Committee.

### **Duties**

The Committee shall:

- Act on its own cognizance, or upon request of any Student or group of Students, to specify or review grievances, suggestions, or criticisms concerning any matter relevant to the Institute.
- Weigh and evaluate the material and transmit constructive recommendations to appropriate individuals, offices, committees or groups.
- 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.

## **2.6.13 Student Honor Committee**

### **Members**

The Student Honor Committee shall consist of:

- Twelve (12) members elected from the Academic Faculty, including at least nine (9) tenured or tenure-track;
- Six (6) undergraduate Students with at least junior standing elected by the Undergraduate Student Government Association; and
- Three (3) graduate Students elected by the Graduate Student Government Association.

The Chair shall be elected annually by the Committee from among the Academic Faculty members. The Chair shall appoint the Secretary from among the remaining members of the Committee.

### **Duties**

Cases involving alleged dishonesty in academic matters on the part of a Student shall be heard and decided by a Hearing Panel formed from members of the Committee.

- This Panel shall be composed of three (3) or four (4) Academic Faculty members, of whom a majority should be tenured or tenure-track, and two (2) or three (3) Students with at least one (1) 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.

## **2.6.14 Student Computer Ownership Committee**

**Members**

The Student Computer Ownership Committee shall consist of

- Five (5) members elected by the Academic Faculty;
- One (1) Student of freshman standing elected by the Undergraduate Student Government Association;
- One (1) other Student elected by the Undergraduate Student Government Association;
- One (1) representative from the Office of Information Technology;
- One (1) representative from the Georgia Tech Computer Store; and
- One (1) representative from Auxiliary Services representing the Residential Networking group.

All members shall have the right to vote. The Chair shall be elected annually by the Committee from among the elected Academic Faculty members. The Chair shall appoint the Secretary from among the remaining members of the Committee.

**Duties**

The Committee shall:

- At least annually, review and update the standard hardware specifications for a minimally-configured student computer.
- Originate or receive all requests to add or delete specific software from the standard software suite used by the Georgia Tech community, make recommendations to the Academic Faculty regarding any significant modifications to the standard software suite, and adopt on its own discretion any minor modifications and/or revisions to the standard software suite.
- Review annually 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.
- Originate or receive and make recommendations to the Academic Faculty regarding any changes to the Student Computer Ownership policy.
- Assist in the establishment and promotion of activities that encourage the use of computers in education.

## 2.6.15 Academic Integrity Committee

**Members**

The Academic Integrity Committee shall consist of:

- Three (3) members elected from the Academic Faculty, including at least two (2) tenured or tenure-track;
- The Chair of the Student Honor Committee;
- One (1) undergraduate student with at least junior standing elected by the Undergraduate Student Government Association;
- One (1) graduate student elected by the Graduate Student Government Association; and
- The student Chair of the Student Honor Advisory Council.

The Chair shall be elected annually by the Committee from among the elected faculty members. The Chair shall appoint the Secretary from among the remaining members of the Committee.

**Duties**

The Committee shall:

- Assess and benchmark the nature of academic misconduct at Georgia Tech and in the nation.
- Examine, assess, and recommend to the Academic Faculty methods and programs that can enhance the level of academic integrity at Georgia Tech.
- 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.
- 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.
- 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.

## 3. Faculty Status

### 3.1 All Faculty

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 research and discharge such other duties as may be assigned to them during the term of appointment.

Faculty members are free to express 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 this *Handbook* 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.

#### 3.1.1 Appointments

*Policy Manual of the Board of Regents* (Sections [8.2](#) and [8.3](#))

Every appointment or promotion shall be made solely on the basis of merit and the special abilities of the individual.

Relationship by family or marriage shall constitute neither an advantage nor a disadvantage provided the individual meets and fulfills the appropriate Georgia Tech appointment and promotion standards as set forth in these policies. No individual shall be employed in a Unit under the supervision of a relative who has or may have a direct effect on the individual's progress, performance, or welfare. 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 Handbook 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.

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, sexual orientation, or presence of a non-job-related disability in any salary decision.

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 the Unit where Faculty membership and the associated rights shall reside.

## 3.1.2 Faculty Salaries and Evaluations

### Entry Level Salary

Because of the complexity of the Institute, individual 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.

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 the Institute's need for these individuals.

### Merit Increases

Merit increases for full-time Faculty shall be based on an evaluation of job assignment and overall productivity. All dimensions of the Faculty 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).

### Annual Reviews

[Board of Regents Policy Manual, Section 8.3.5](#)

Annually, each Faculty member shall receive a written performance evaluation from 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..

### 3.1.3 Notice of Resignation or Retirement

#### **Faculty Members with Contracts**

Persons employed for the fiscal year or for the 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 an appointment period. Such persons shall give written notice of their intention to resign to the President no later than two (2) weeks after being notified of the terms of the Employment Contract for the next fiscal or academic year.

#### **Faculty Members without Contracts**

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

### 3.1.4 Professional Absence and Leave Policies

The various types of leaves are defined in the *Board of Regents Policy Manual*, Section [8.2.7](#), as well as in the *Board of Regents' Academic and Student Affairs Handbook*, Section [4.9](#). The following section discusses leave policies that are unique to the Georgia Institute of Technology. However, none of these policies supersede the policies and procedures stated in the *Board of Regents Policy Manual* and *Academic and Student Affairs Handbook*.

#### **Absence**

Faculty members shall obtain approval in advance from the Chair of their School or from the appropriate administrative officer in non-instructional divisions to be absent from assigned duties. The requirement of advance notice may be waived in an emergency. Faculty members shall assist in arranging for their duties to be performed during periods of their absence.

#### **Absences from Campus for Professional Activities**

Occasional absences from campus are necessitated by the professional activities of most Faculty. 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.

#### **Procedures**

Absences from campus of more than one (1) business day for professional activities, including consulting, should be documented in advance by filing an online Travel Authorization request, or other acceptable document. The purpose of the 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 (1) business day or less, the Faculty member

should notify his/her supervisor or designated representative as to his/her location. A Travel Authorization request 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.

## Approvals

Absences of more than one (1) business day must be approved by the School Chair or his/her designated representative or by the appropriate administrative officer in non-instructional divisions.

Absences of more than ten (10) consecutive business days must be approved by both the School Chair and the Dean of the College, who will notify the Provost, or by the appropriate and similar levels of administrative officers in non-instructional divisions. A proposed absence of greater than half a term in duration must be forwarded to the President by the Dean of the College or by the appropriate administrative officer in non-instructional divisions for consideration for a Leave of Absence as defined by the Board of Regents.

### Leave of Absence without Pay

Faculty members may be granted a leave of absence for a clearly specified period of time, without pay, by the President with notification to the Chancellor and the Board of Regents. Leaves without pay shall be granted to all Faculty members who are ordered to active military service of the United States. 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

### Leave of Absence with Pay

Leaves with pay shall be granted only for the purpose of promoting scholarly work and encouraging professional development. Leaves with pay shall be made only after consideration of the likelihood of the Faculty member's being able to accomplish the purpose for which the leave is requested; the effect that granting of the leave will have on the Faculty member's unit; and the availability of funds.

Faculty members who have been granted a leave of absence with pay must return the full amount of compensation received while on leave if they do not remain with the Institute for at least one (1) calendar year after the termination of the paid leave.

### Impact of a Leave of Absence on Tenure Status

The status of a tenured Faculty member who is granted a leave of absence for a specific period, shall not be impaired by such absence from the Institute.

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 placed on leave of absence.

A Faculty member who has served thirty (30) days or less with the United States Armed Forces must report to work on the first regularly scheduled work day beginning more than eight (8) hours after the member's completion of service. A Faculty member who has served thirty-one (31) to one hundred and eighty (180) days must report to work no later than fourteen (14) days after the conclusion of the member's military service. A

Faculty member who has served one hundred and eighty-one (181) days or more must report to work no later than ninety (90) days after the conclusion of military service.

A Faculty member on leave of absence for military service shall lose tenure if he/she does not notify the President of his/her intention to return as soon as practicable and does not report to work in accordance with the preceding schedule.

### **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 that the activity:

- In no way interferes with the Faculty member's obligations to the Institute.
- Creates no conflicts of interest.
- Has been fully disclosed to and approved by the Chair of the Faculty member's unit or by the appropriate administrative officer in non-instructional units.
- Consulting may be performed only after the Faculty member's obligations to the Institute have been fulfilled. Faculty members must conform to the Policy on Conflict of Interest and Outside Professional Activity (See Section [5.6](#) of this *Handbook*).

## **3.1.5 Academic Rank for Administrators**

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.

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



## 3.1.6 Award of Emeritus Title

The Emeritus title is an honorific signifying distinguished service to Georgia Tech. Consistent with Board of Regents' policy, the President may confer emeritus status upon an employee who has retired with ten (10) or more years of honorable and distinguished service to the University System. The President's decision will be based, in part, upon the recommendation of the unit in which the employee has served. (*Board of Regents' Policy Manual, Section [8.3.13](#)*)

The following procedure shall be used to develop recommendations:

- 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.
- If the Unit has a designated Faculty Advisory Committee, the Unit Head shall forward the request, along with a detailed curriculum vitae 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.
- 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 curriculum vitae, to the President for final action.
- The Unit recommendation shall be conveyed to the President, and to the candidate no later than three (3) months after the request date.

## 3.1.7 Use of Office Space by Retired Faculty

It is the policy of the Georgia Institute of Technology to consider the request from retired faculty to be provided office space. 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. Each case will be reviewed annually prior to the beginning of the academic year.

## 3.1.8 Concerns, Complaints, and the Ombuds Office

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 members 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 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 Faculty. The procedures of this committee are governed by Sections [2.6.3](#) and [3.1.9](#) 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.

## 3.1.9 Grievance: Process and Procedures

### Right of Appeal

Members of the 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 a resulting recommendation of the Committee to the President. If the President's decision does not settle the matter to their satisfaction, they may, in accordance with Section VIII of the [Bylaws of the Board of Regents](#), 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.

### Process

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 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:

- **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.

- **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. Each grievant should file written notice of the grievance which should be submitted to the FSGC through its chair 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.

- **Decision by FSGC on Proceeding**

Within approximately six (6) 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.

- **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.

### **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 (3) members of an investigation subcommittee, consisting of members of the FSGC and/or individual Faculty appointed to serve as FSGC investigators by the Faculty 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 (2) 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 (90) 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 (21) 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.

### **Procedures for Parties Presenting Cases before a Formal Hearing Committee**

### **Authorization**

A formal hearing shall be authorized by the Faculty Status and Grievance Committee under the following circumstances:

- A grievant makes a written request for a formal hearing within ten (10) working days after receipt of the report of the FSGC concerning an investigation; or
- This Handbook or other Institute policies require a formal hearing by the FSGC.

### **Notification**

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

### **Formulation of a Formal Hearing Committee**

A formal hearing is conducted by a committee consisting of four faculty members chosen from the 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 (24) potential members of the Formal Hearing Committee by a random selection from the membership of the 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 (24) 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 (24) 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 (4) members of the Formal Hearing Committee have been selected. The last two (2) 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.

The FSGC shall not be responsible for dismissal hearings for tenured faculty members, or non-tenured faculty members before the end of their contract term, if any. A separate process, consistent with the Bylaws of the Board of Regents, is set out for such hearings in [Section 3.1.10](#) under Provision for Dismissal Hearing Committee.

### **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.

### **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.

### **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.

### **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.

### **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 (7) copies of all material intended for use in the presentation: one (1) copy for each side and five (5) 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 (10) working days before the hearing. The designated recipients of these copies should arrange to obtain them from the Hearing Chair no sooner than nine (9) 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.

### **Witnesses**

Each party may call witnesses. Witnesses will be sequestered upon request of a party or by direction of the Chair. At least ten (10) 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 (9) working days before the hearing. The responsibility for notifying each witness resides with the party who has designated that witness.

### **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.

### **Recommendations to the FSGC**

The Chair and the other four (4) 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 (30) 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 (21) days of receipt of the FSGC recommendations.

## **3.1.10 Procedures for Removing Faculty Members**

### **Introduction**

*Policy Manual of the Board of Regents, 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;
- Conviction or admission of guilt in a court proceeding of any criminal drug offense;
- 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 this Handbook of the Institute.

Sanctions short of dismissal may be considered. In the imposition of sanctions, the burden of proof lies with Georgia Tech.

### **Preliminary Procedures**

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

- Discussion between the Faculty member and appropriate Administrators 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.

### **Provision for Dismissal 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 (3) or more than five (5) impartial Faculty members appointed by the Faculty Executive Board, from among the 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 Faculty Executive Board either at the Chair's 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 disqualified for bias or interest. Each party shall have a maximum of two (2) 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 (3) members is required for any action to be taken.

## **Hearing 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 Administrators 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.

## Conclusions

- 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.

### Temporary or Part-Time Personnel

Temporary or part-time personnel serving without a written contract hold their employment at the pleasure of the President, chief academic officer, or their immediate supervisor, any of whom may discontinue the employment of such employees without cause or advance notice. (*Board of Regents Policy Manual*, Section [8.3.9.3](#).)

## 3.1.11 Possible Suspension in Cases when a Charge of Violation of State or Federal Laws is Pending

(*Board of Regents Policy Manual*, Section [8.3.9.4](#))

When a Faculty member is charged with the violation of a state or federal law, or is indicted for any such offense, a thorough review of the circumstances shall be carried out by the President.

In the event a Faculty member is temporarily suspended, the Faculty member has the right to make a written request for an appeal of the suspension. In that event, the Administration shall immediately convene an ad hoc Faculty committee or utilize the services of an appropriate existing Faculty committee for the purpose of hearing the appeal by the Faculty member. Information supporting the appeal shall be submitted in writing in accordance with procedures to be established by the hearing committee, which shall render its decision within ten (10) days from the conclusion of the hearing. Thereafter, any further appeal by the Faculty member shall be in accordance with the procedures set forth in Article VIII of the Bylaws of the Board of Regents.

## 3.1.12 Sanctions and Allocation of Support Services to Faculty Members

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.



## 3.2 Non-Tenure Track Faculty

The Institute is authorized to establish professional positions designated as non-tenure track positions. The Institute 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. Positions designated as non-tenure track positions or as tenure track positions may be converted to the other type only with approval by the President.

Non-tenure track positions may be established for full-time professional personnel employed in administrative positions or to staff research, educational, 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. Some positions will have membership in the Research Faculty and some in Academic Faculty. 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 are members of the Academic Faculty 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.

### 3.2.1 Research Faculty: Hiring and Promotion Guidelines

Research Faculty members are not eligible for tenure. While they are subject to many of the general hiring and promotion criteria for tenure-track Faculty, there are significant differences. The following sections detail established positions in the Research Faculty and their promotion criteria.

#### **Titles**

Research Faculty titles include:

- Research Scientist
- Research Engineer
- Research Technologist
- Research Associate
- Extension Professional

A person is normally hired into a Scientist, Engineer, Technologist, Associate, or Extension Professional position, where appropriate, on the basis of the field of their most recent educational degree or their experience. Standards of evaluation will generally be based on the standards of that field. There are levels of I, II, Senior, and Principal for each of these titles.

#### **Research Associate Titles**

The title of Research Associate is held by research personnel who meet all normal requirements, but for whom the title of Engineer, Scientist, or Technologist is not appropriate. The title is intended for professionals 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 the Institute's needs. Examples include medical doctors, health and safety professionals, social scientists, architects, and management experts.

### **Extension Professional Titles**

The title of Extension Professional is held by research personnel that fulfill the extension and service mission of Georgia Tech to the State of Georgia and beyond. This mission includes, but is not limited to, technology-based economic development, technology commercialization and deployment, entrepreneurship, start-up company incubation, and business and industry outreach. Extension Professionals also provide educational programs for business and industry in support of these missions and facilitate and foster increased industrial engagement and sponsorship of applied research activities with Georgia Tech.

Extension Professional appointments are made on the basis of merit and the special qualifications of the individual and follow the same general ranking, hiring, and promotion principles as the other professional research faculty ranks. Extension Professional ranks include the same levels as for the other titles above. Promotion criteria, including education and time in rank, shall follow the research titles as outlined in the following section; however, equivalent extension impacts and accomplishments versus research accomplishments will be considered by the promotion review boards.

### **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:

- Research Scientist II – Three (3) years as Research Scientist I
- Senior Research Scientist – Four (4) years as Research Scientist II
- Principal Research Scientist - Five (5) years as Senior Research Scientist

As used in this *Handbook*, "years of experience," "years in rank," and "years at Georgia Tech" are to be calculated as of July 1st of the year in which the promotion would take effect. Note: In the above and following sections, the term "Research Scientist" is used to indicate any one of the following: Research Scientist, Research Engineer, Research Technologist, Research Associate, or Extension Professional.

The following sections describe the credentials, competency, and performance expected of the identified ranks. Requirements for professional registration and other legal or professional certification are not identified in these guidelines as prerequisites for promotion. Instead, these formal evidences of competency are expected to be provided by persons assigned to duties that require them.

### **Research Scientist I**

This is the initial rank held by research personnel who have at least a bachelor's degree and who will be performing on a professional level.

## Research Scientist II

In addition to the [years-in-rank requirement](#), this rank requires one (1) of the following:

- A Master's degree and three (3) years of relevant full-time experience after completion of that degree,
- A Master's degree and five (5) years of relevant full-time experience after completion of a Bachelor's degree,  
or
- A Doctoral 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, the promotion recommendation shall include 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 Faculty 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.

## Senior Research Scientist

In addition to the [years-in-rank requirement](#), this rank requires one (1) of the following:

- A Master's degree and seven (7) years of relevant full-time experience after completion of that degree,
- A Master's degree and nine (9) years of relevant full-time experience after completion of a Bachelor's degree,  
or
- A Doctoral degree and four (4) years' relevant full-time experience. For candidates holding the Doctoral degree, the last two (2) 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 (2) years for candidates so qualified.

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. 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 qualified personnel holding a Doctoral degree in their specified discipline.

In addition to the basic requirements, above, demonstrated superior performance of professional duties is required as follows:

- A. 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. 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; and at least two (2) of the following B through E.
- B. Important technical contributions and innovation as documented in formal reports of several projects over a minimum time of four (4) years prior to recommendation for promotion.
- C. 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.

D. Substantial documented contributions in sponsored program development.

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

### **Principal Research Scientist**

In addition to the [years-in-rank requirement](#), this rank requires either:

- A Master's degree and eleven (11) years' relevant full-time experience; or
- A Doctoral degree and seven (7) years' relevant full-time experience.

At least the most recent three (3) years of relevant experience shall have been at a responsible technical or managerial level. Preference will be shown for qualified personnel holding a Doctoral degree in their specific discipline. In addition to the basic requirements above, the candidate for the rank of Principal Research Scientist must

A. Show clear evidence of 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 on Letters of Evaluation below); and have demonstrated outstanding capabilities in at least two (2) of the following research or service activities B through D:

B. Leadership in developing and managing a technical thrust involving related projects. Special consideration will be given to programs involving a broad participation by research and instructional Faculty and Students

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

D. 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

### **Letters of Evaluation**

At least three (3) 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 Institute.

### **Joint Appointments in Instructional Units**

Instances may arise where it is appropriate for a Research Faculty member not in an Instructional Unit to receive a joint appointment to such a Department. See Section [3.3.1](#) concerning Joint Appointments.

## **3.2.2 Non-Tenure Track Academic Faculty Members: Hiring and Promotion Guidelines**

While persons holding the positions detailed under the following headings are members of the Academic Faculty, they are not eligible for tenure. While they are subject to many of the general hiring and promotion criteria for tenure-track Faculty, there are significant differences. The following sections identify non-tenure track positions in the Academic Faculty and their promotion criteria.

### **Professor of the Practice**

The position of Professor of the Practice is 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: Professor of the Practice.

The qualifications and expectations for this position are:

- Have substantial bases of experience, normally at least ten (10) to fifteen (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 full-time or part-time. Eligibility for fringe and retirement benefits will conform to Georgia Tech employment policies.
- “Professor of the Practice” is a non-tenurable title which is consistent with Board of Regents provisions for “Non-Tenure Track Personnel”. This classification carries with it membership in the Academic Faculty of the Institute.
- 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. At minimum, these policies will involve letters of recommendation concerning the individual being proposed for a position as Professor of the Practice, on-campus interviews of the candidate, 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 Professors.

## Academic Professionals

*Board of Regents Policy Manual*, Section [8.3.8.3](#).

Academic Professional titles may be assigned to appropriate positions (as defined below). Persons in such positions may be involved in duties of a managerial, research, technical, special, career, public service or instructional support nature.

The following stipulations apply to all Academic Professional positions:

- The position requires an appropriate terminal degree, or in rare and extraordinary circumstances, qualification on the basis of demonstrably successful related experience, which exception is expressly approved by the President.
- The Academic Professional designation may not be assigned to a position where the teaching and research responsibilities total 50% or more of the total assignment.
- The position is not a tenure-track position, and the holder of the position is not eligible for consideration for the award of tenure, or for probationary credit toward tenure.

The designation Academic Professional would apply to a variety of academic assignments that call for academic background similar to that of a Faculty member with professorial rank, but which are distinctly different from professorial positions. Examples include managing instructional laboratories, assuming academic program management roles not suited for expectations applied to Tenure-Track Faculty members, operating instructional technology support programs, being responsible for general academic advising, assuming professional student counseling center responsibilities, providing specialized skill acquisition training as support for academic programs, and working with Tenure-Track Faculty members in course and curriculum development.

General categories for Academic Professionals include:

- **Training and Instructional Support.** This includes educational needs assessment, program development and coordination, instructional materials and technology development, delivery of specialized or skill acquisition instruction, and program evaluation.
- **Technical Assistance.** An advisory or operating role which provides specialized knowledge appropriate for program support and development. The activities range from a significant or advisory or operating role to managing a technical support unit to development of organizational structures and function.
- **Specialized Management.** This includes supervision of clinical practice or field experience, or providing services or out-of-class educational opportunities for Students.

Career ladders may be established for Academic Professionals, using the following titles: Associate Academic Professional, Academic Professional, and Senior Academic Professional.

Reappointment of Academic Professionals is made annually. Notice of non-reappointment must be made in a timely manner consistent with Board of Regents policy, using the three-, six-, and nine-month notification schedule depending upon length of service in the position, as outlined in the Notice subsection of [3.3.3](#).

Criteria or guidelines for reappointment in professional ranks generally follow those established for Instructional Units as set out in Section [3.3.3](#). Additional criteria may be established by the President in consultation with the Faculty Executive Board, and shall be published and distributed to the Faculty.

## **Lecturers/Senior Lecturers**

### **Full-Time Lecturers**

*Board of Regents Policy Manual, Section [8.3.8.1](#)*

To carry out special instructional functions such as basic skills instruction, the Institute may appoint instructional staff members to the position of Lecturer. Lecturers are not eligible for the award of tenure. Reappointment of a lecturer who has completed six (6) consecutive years of service to the Institute will be permitted only if the lecturer has demonstrated exceptional teaching ability and extraordinary value to the Institute. The reappointment process must follow Institute procedures. Not more than twenty (20) percent of the Institute's FTE corps of primarily undergraduate instruction may be Lecturers and/or Senior Lecturers.

### **Senior Lecturers**

*Board of Regents Policy Manual, Section [8.3.8.2](#)*

The title of Senior Lecturer may be used at the discretion of the Institute. The Institute is discouraged from initial

hiring at the Senior Lecturer level. Lecturers who have served for a period of at least six (6) years at the Institute may be considered for promotion to Senior Lecturer. Promotion to Senior Lecturer requires approval by the President. Reappointment procedures for Senior Lecturers follow the same reappointment procedures as those for Lecturers. Senior Lecturers are not eligible for the award of tenure.

### **Reappointment**

*Board of Regents Policy Manual*, Section [8.3.4](#)

Full-time Lecturers and Senior Lecturers are appointed on a year-to-year basis. Since individuals in these positions serve in Instructional Units, procedures for consideration of reappointment are handled by those Units in the same manner as for other Reappointments, as set out in this *Handbook*, Section [3.3.3](#).

Lecturers and Senior Lecturers who have served full-time for the entire previous academic year have the presumption of reappointment for the subsequent academic year unless notified in writing to the contrary as follows:

- For Lecturers with less than three (3) years of full-time service, the Institute shall provide non-reappointment notice as early as possible, but no specific notice is required.
- For Lecturers with three (3) or more years but less than six (6) years of full-time service, the Institute must provide non-reappointment notice at least thirty (30) calendar days prior to the first day of classes in the semester.
- For Senior Lecturers or Lecturers with six (6) years or more of full-time service, the Institute must provide non-reappointment notice at least one hundred and eighty (180) calendar days prior to the first day of classes in the semester.

Lecturers or Senior Lecturers with six (6) or more years of full-time service and who have received timely notice of non-reappointment shall be entitled to a review of the decision in accordance with the procedures in this *Handbook*. For additional appeal procedures see Section VIII of the *Bylaws of the Board of Regents*.

In no case will service as a Lecturer or Senior Lecturer imply any claim upon tenure or reappointment under conditions other than those above.

### **Instructors**

A person hired with the academic rank of Instructor is not eligible for tenure under Board of Regents policies. They are however afforded the same expectations and procedures for reappointment as set out in this *Handbook* in Section [3.3.3](#). The maximum period of time that may be served at the rank of full-time Instructor shall be seven (7) years.

### **Librarians and Archivists**

The position of Librarian or Archivist is for qualified individuals within the Georgia Tech Library and Archives who provide complex information services to the Institute. Persons in such positions may be involved in duties of a managerial, research, technical, special, career, public service, or instructional support nature.

The following stipulations apply to all Librarian and Archivist positions:

- The position requires an appropriate terminal degree, typically a master's degree in the appropriate area of specialization.
- The position is not a tenure-track position, and the holder of the position is not eligible for consideration for the award of tenure, or for probationary credit toward tenure.

Career ladders are established for Librarians and Archivists, using the following titles: Librarian/Archivist I, Librarian/Archivist II, Librarian/Archivist III, and Librarian/Archivist IV.

Reappointment of Librarians and Archivists is made annually. Notification of non-reappointment must be made in a timely manner consistent with Board of Regents policy. Appointments, cumulative reviews, and opportunities for

promotion occur in accordance with the Library Faculty Constitution, and are overseen by the Provost, as Chief Academic Officer of the Institute.

## 3.2.3 Adjunct Appointments

BOR Policy Manual, Section 1.2.5 The term adjunct is used at Georgia Tech to refer to honorary, unpaid affiliations with instructional units. A faculty member in one Georgia Tech unit may be appointed to adjunct status in another unit or an individual from outside the university may be appointed to that status. The appointment may be for a narrow purpose such as serving as an advisor to a graduate student, or extend to broader participation in the governance of the instructional unit. Adjunct status, by itself, never confers the right to participate or vote in tenure or promotion processes. The appointment should be made for a specified period of time through standard faculty appointment processes.

## 3.3 Tenured and Tenure-Track Faculty

Under Board of Regents policies, only Academic Faculty members in the professorial ranks can be Tenured or in the Tenure Track (i.e. eligible to be considered for tenure). Tenure is granted only to a Faculty member whose home Unit is an Instructional Unit.

### 3.3.1 Tenure-Track Faculty Appointments

Recommendations on appointment of a Faculty member having professorial rank shall ordinarily originate within the relevant Instructional Units and shall be presented through the prescribed channels to the President. Appointments shall become final upon approval by the President.

Procedures for recommending reappointment, promotion, or tenure of Faculty members shall adhere to the following criteria:

- Recommendations by the Unit Head, Dean of the College, and the Provost shall be essential elements.
- Recommendations by Faculty committees at the School 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

#### Qualifications

*Board of Regents Policy Manual, Sections [8.3.1.2](#) and [8.3.1.3](#)*

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

- Consistent with the Southern Association of Colleges and Schools' requirements for institutional accreditation
- Evidence of ability as a teacher
- Evidence of ability and activity as a scholar in all other aspects of duties assigned



- Successful experience (this must necessarily be waived in the case of those just entering the academic profession who meet all other requirements)
- 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.

### **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 Professor, was already tenured at his or her prior institution, and brings a demonstrable national or international reputation to Georgia Tech.

### **Procedures**

In cases where an Instructional 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 (RPT) 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 Instructional Unit's qualifications to sit on an RPT 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 this 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 Instructional 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.

### **Joint Appointments**

Joint appointments must involve a budgetary commitment to the individual by each Unit. Normally, this would involve teaching and/or research activity. Each Faculty member with a joint appointment should have a Home Unit which has responsibility for administrative activity for the individual. Promotion, tenure, and reappointment decisions should involve all affected Units.

Instances may arise where it is appropriate for a research titled Faculty member who is not in an Instructional Unit to have a joint appointment in an Instructional Unit. Such arrangements are to be encouraged where they work to the advantage of all parties concerned. The head of the Instructional Unit in which the joint appointment is held will be expected to supply letters of evaluation for all promotion/salary decisions. Tenure is not awarded to persons whose

home unit is not an Instructional Unit.

## 3.3.2 Salary Determinations for Tenure-Track Faculty

### Salary

The salary level associated with each Faculty position shall be based upon the general principles set out in [Section 3.1.2](#). In addition, the following specific criteria shall be utilized for salary determinations for Tenure-Track Faculty:

### 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, and Unit Heads. 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 Unit Head.

The number of independent study courses, theses, dissertations, etc., supervised. Quality should be evaluated by peers and the Unit 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 Unit Heads.

**Service:** The quality of service to Students, such as academic advising, directing field trips, etc., should be evaluated by Students, peers, and Unit 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, 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.

### Faculty Summer Salaries

Payment of compensation to Tenure-Track Faculty members for full-time employment during the summer session shall be at a rate not to exceed one-third (1/3) of their regular nine months compensation for the previous academic year.

### Merit Increases

Merit increases for full-time Tenured and Tenure-Track Faculty shall be based on the same principles applicable to all Faculty members, but shall consider weights especially appropriate in Instructional Units.

### Annual Reviews

In addition to the general principles set out in Section [3.1.2](#), evaluation criteria for Tenure-Track Faculty follow those used for promotion, tenure, and salary decisions as set out further above and in Section [3.3.7](#). 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 instructional Faculty whether 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 Section [3.3.7](#) of this *Handbook*. Each College will set out in written policies how the evaluations will be carried out for those teaching courses in their purview.

## 3.3.3 Reappointment of Tenure-Track Faculty without Tenure

### General Principles

All non-tenured Tenure-Track Faculty who have been awarded academic rank (Assistant Professor, Associate Professor, Professor), are employed under written contract, and who served full-time for the entire previous year have the presumption of renewal for the next academic year unless notified in writing, by the President, of the Institute's intent not to renew. Instructors are not eligible for tenure but have the same expectations and procedures for reappointment as the above.

#### Notice (*Board of Regents Policy Manual* [8.3.4.2](#))

Written notice of intent not to renew shall be delivered by hand or by certified mail, return-receipt requested.

Notice of intention not to renew shall be given according to the following schedule:

- At least three (3) months before the date of termination of an initial one-year contract.
- At least six (6) months before the date of termination of a second one-year contract.
- At least nine (9) months before the date of termination of a contract after two (2) or more years of service in the institution.

This schedule does not apply to persons holding temporary, limited-term, or part-time positions, or persons with courtesy appointments such as adjunct appointments.

Recommendations of non-reappointment made to the President may be referred by him for consideration and recommendation to the Faculty Status and Grievance Committee.

### Procedures on Reappointment

#### Administrative Reviews

For the first three (3) 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 the mid-point of the summer semester, 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 at least one individual from each Unit where the Faculty member holds an appointment, as well as all Unit Heads involved.

### **Critical Reviews**

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 (1) of four (4) 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
- 'Non-reappointment' which means that the candidate should expect no contract to be 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.

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 Administrative Reviews are conducted. If the decision is 'reappoint with warning' then the fourth year review process will be the same as the third year Critical 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 Critical Review.

The committee appointed to review the Faculty member's contributions 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 within the Unit across 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.

### **Candidate's Responsibility**

The candidate has the responsibility to prepare and review the documentation that is submitted, except for evaluation letters, if applicable. However, the list provided by the candidate for external evaluators should be

included in the package. 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, the Faculty member will receive a letter of non-reappointment.

### **Feedback to Faculty Members**

It is important for the Faculty member to receive feedback regarding the assessments involved. The appropriate person 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.

## **3.3.4 Tenure and Promotion Overview**

This section sets forth guidelines for promotion of Tenure-Track Faculty and 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 tenure and 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 Sections [3.3.5](#), [3.3.6](#), & [3.3.7](#).)

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.

In contrast to promotion, which is based on the merit of the individual's work, tenure represents the Institute's selection of a Faculty member 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. 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.

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." (See Section [3.3.6](#)) All dimensions of the performance must be considered, that is teaching, creativity, and service. In appraising a candidate's qualifications for tenure, the weighting of the three (3) categories set forth above may vary for each case. It is recognized that the Institute has varied responsibilities and these responsibilities may best be met by a Faculty whose members have a 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 candidate, the Unit Head, and the Dean should address this question. 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.

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. The term "full-time" is used in these tenure regulations to denote service on a 100% work load basis for at least two (2) out of three (3) consecutive academic terms. Faculty members with adjunct appointments shall not acquire tenure. The award of tenure is limited to the specified academic ranks and shall not be construed to include honorific appointments.

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.

Promotion and tenure decisions may be appealed through the Faculty Status and Grievance Committee. Additional criteria or guidelines for promotion and conferral of tenure in professorial ranks may be established by the President in consultation with the Faculty Executive Board and shall be published and distributed to the Faculty.

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 (2) out of every three (3) consecutive academic terms (normally for fall and spring terms) until retirement, dismissal for cause, release because of financial exigency, or program modification as determined by the Board of Regents.

These guidelines are in full accord with the policies and procedures of the Board of Regents; however, the Georgia Tech criteria are more demanding than those established by the Regents. These guidelines are intended to aid Tenure-Track 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 Unit Head. All Faculty members should receive at a minimum an annual administrative review of their progress.

## 3.3.5 Tenure

*Board of Regents Policy Manual, Section [8.3.7](#)*

### Criteria

Minimum expectations in all professorial ranks are:

- Superior teaching, demonstrating excellence in instruction.
- Academic achievement, as appropriate to the mission.
- Outstanding service to the Institute, profession or community.
- Professional growth and development.

More details are provided in Section [3.3.7](#). Noteworthy achievement in all four (4) of the above need not be demanded, but should be expected in at least two (2). A written recommendation should be submitted by the head of the unit concerned setting forth the reasons for granting tenure. The Faculty member's length of service with the institute shall be taken into consideration in determining whether or not the faculty member should be granted tenure.

In addition to the minimum criteria above, tenure at the rank of Associate Professor 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 being granted tenure.

### **Probationary Period and Credit**

Tenure may be awarded, upon recommendation by the President and approval by the Board of Regents, upon completion of a probationary period which is normally at least five (5) years of full-time service at the rank of Assistant Professor or higher. A maximum of three (3) 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 institute. 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.

### **Maximum Time in Rank without the Award of Tenure**

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 (7) 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 ten (10) years, provided, however, that a terminal contract for the eleventh (11th) year may be proffered if a recommendation for tenure is not approved by the Board of Regents.

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 (7) years.

### **Impact of Resignation on Tenure or Probationary Credit**

Tenure or probationary credit towards tenure is lost upon resignation from an institution, 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.

## **Extension of the Probationary Period for Tenure**

The five (5) year probationary period must be continuous except that a maximum of two (2) years interruption because of a leave of absence or part-time service may be permitted, provided, however, that an award of credit for the 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, serious disability, or prolonged illness of the employee or immediate family member, the five (5) year probationary period may be suspended during the leave of absence.

### **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 members are promoted and tenured in ways that are fair and humane. To ensure equity in administering the system of academic tenure, the Institute 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 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.

### **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 (6) 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 (1) year per event with a maximum extension of two (2) years.

If an extension is granted, no additional requirements for tenure can be imposed upon the candidate by virtue of the extension. 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.

### **Procedures**

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 (3) months of the event related to the extension request. Any supporting documentation should be attached to the request.

Requests are not granted automatically. Generally, however, Georgia Tech will attempt to provide extensions to all candidates that are making good progress and are requesting an extension 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 Unit Head.

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.

## **3.3.6 Promotion**

### **Criteria**

*Board of Regents Policy Manual, Section [8.3.6](#)*

Minimum expectations in all professorial ranks are:

- Superior teaching.
- Outstanding professional service to the Institute, and/or the community.
- Outstanding research, scholarship, creative activity or academic achievement.
- Professional growth and development.

More details are provided in Section [3.3.7](#). Noteworthy achievement in all four (4) of the above need not be demanded, but should be expected in at least two (2). A written recommendation should be submitted by the head of the unit concerned setting forth the reasons for promotion. The Faculty member's length of service with the Institute 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 Professor or 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.

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

## Guidelines for Promotion

### From Instructor to Assistant Professor

- 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
- Clear evidence of effective teaching
- Clear evidence of creativity

### From Assistant to Associate Professor

- Sufficient time in grade. Generally, five (5) or more years in grade are expected. Three (3) years in grade, at least two (2) of them at Georgia Tech, or two (2) years of relevant professional experience plus two (2) 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
- 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
- Clear evidence of effective teaching
- Clear evidence of creativity while at Georgia Tech
- 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 (4) of these qualifications. Marginal qualifications in any of these areas might be compensated for by strength in the fifth.

### From Associate Professor to Professor

- Sufficient time in grade. Generally, six (6) or more years in rank are expected. Three (3) years at the Associate Professor rank, at least two (2) of them at Georgia Tech, or two (2) years of relevant professional experience plus two (2) 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
- 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
- Significant contributions as an educator
- Clear evidence of significant creativity
- Evidence that the candidate is making substantial contributions to Georgia Tech by service to the Institute, to the public, or to the profession
- 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 (4) of these qualifications and should have some demonstrable accomplishments in the last two.

## 3.3.7 Promotion and Tenure Evaluation

### Evaluation of Faculty Members as Teachers and Educators

Criteria for effective teaching are difficult to define. 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.

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 that may be used to evaluate the performance of a Faculty member as teacher and educator:

### **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.

### **Teaching Skills and Methods**

- Relative performances of students in the candidate 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 below).
- 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.

### **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.

### **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.

### **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:

### **Publications**

- Research papers in scholarly journals, literary publications, and books.

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

- Technical reports, engineering and architectural designs, and grant applications
- Inventions leading to patents
- Presentations at conferences and meetings.

### **Creative Educational Contributions**

- Innovative teaching methods, research in instructional techniques, and textbooks.

### **Artistic Creations**

- Paintings, sculpture, and music.

### **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 candidate's creative accomplishments throughout his/her entire career should be considered and special attention given to those that occurred at Georgia Tech.

### **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.

#### **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.

#### **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 Unit 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.

### **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.

### **Service to the Institute**

Significant service to the offices of the Institute, such as Institute Relations and Development, the Alumni Association, the Athletic Board, 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, etc.

### **Availability for Service Activities**

Maintaining regular office hours and expressing willingness to serve whenever opportunities are available. Documentation should include a statement from the Unit Head.

### **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.

### **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 service 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.

### **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). Provision is also made for written comments from the students.

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

Unit Heads receive the responses to the Institute core items, and any optional questions from the respective units; 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 (1) 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.

## 3.3.8 Promotion and Tenure Procedures

### **Candidate's Responsibility**

The candidate has the responsibility to prepare and review the documentation that is submitted, except for evaluation letters. However, the list provided by the candidate for external evaluators should be included in the package. 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.

### **Format for Promotion and/or Tenure Packages: Guidelines for Candidates**

It is important that all candidates follow as closely as possible the same format in preparing the documentation for promotion and/or tenure packages, although some flexibility should be allowed. All candidates must include a copy of their curriculum vitae. The candidates should also write a brief summary of their major accomplishments at Georgia Tech with regard to teaching, research, and service. These personal narratives shall be three (3) to five (5) pages with one-inch margins, standard single-spaced and 10 pt minimum font. The candidates also are required to submit evidence of three (3) to five (5) examples of their relevant, creative capabilities. These may include published papers, books, software, patents, art productions, or other relevant examples.

### **Format for Promotion and/or Tenure Packages: Guidelines for Units**

It is appropriate that each set of documents prepared by a Unit be preceded by letters of transmittal from the Unit Head, and from the Committee referenced in Internal Peer Review Section below, and the Peer Review Committee of that School. These will include comments regarding whether a candidate meets the required qualifications for each separate point of the promotion and/or tenure guidelines (See Sections [3.3.5](#) & [3.3.6](#)). 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 is encouraged.

The letter of transmittal should be followed by a curriculum vitae, prepared by the candidate, detailing the relevant career activities of the individual. Finally, the package may include further relevant documentation such as letters of evaluation, Student evaluations, and (if unavoidable) copies of unpublished creative work.

### **External Peer Review**

Letters of recommendation from appropriate individuals outside the Institute must be obtained by the Unit for any decisions related to tenure or promotion. The individuals from whom letters are sought should be clear leaders in the field. Brief biographical sketches of these individuals should be included in the materials submitted for consideration, as well as the letters received. Generally, the letter writers should not have a personal or professional connection to the candidates (e.g., dissertation advisor, postdoctoral mentor, research collaborator). If letters from such individuals are included, they must be in addition to those normally required, identified as such, and filed separately from other external letters. A justification for including letters from these individuals must be included in the package.

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 (2) consecutive years of the process.

A candidate for Promotion and Tenure may request that a particular individual not be contacted as an external reviewer. Such requests are typically honored. If the School Chair or Dean concludes that circumstances require use of that reviewer, the letter must be in addition to those normally required, identified as such, and filed separately from the other external letters. A justification for including the letter must be included in the package.

External evaluations shall be solicited by the Unit Head(s) and supplied to the office of the Dean. These letters shall be solicited with the understanding that, insofar as possible, access to them will be limited to persons involved in the promotion/tenure decision.

All candidates will be asked to sign a waiver indicating whether or not the candidate “waives all rights to see the identity of the external letter writers and/or the content of their letters”. The waiver form with the candidate's decision will be included in the package.

### **Internal Peer Review**

Each College (or Unit within a College) should determine and publish appropriate measures of scholarly impact of Faculty candidates for Promotion and Tenure. Each Promotion and Tenure package should include an explicit discussion of the impact of the candidate's scholarship relative to the College's or Unit's measure of impact.

The first-level Peer Review Committee should be tailored for each candidate so that it is composed of Faculty in the same or related fields or technical interest areas. The Unit Head typically appoints this committee in consultation with the unit RPT Committee. Candidates shall have the opportunity to suggest to the Unit Head(s) the names of individuals who would be appropriate members of the 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.

### **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.

### **Decisions Involving Joint Appointments**

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.

### **Joint Academic/GTRI/Center Appointments**

Promotion and/or tenure decisions of academic Units will be based on their own criteria; however, letters of evaluation from appropriate GTRI Unit Heads 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.

### **The Provost and Executive Vice President's Advisory Committee**

The College Deans, the Provost and Executive Vice President for Academic Affairs, and senior members of the Faculty representing the Colleges, comprise the advisory committee. Vice-Provost for Graduate Education and Faculty Affairs may participate in the discussions of the committee but does 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 Graduate Education and Faculty Affairs chairs the meetings. The Committee forwards all packages, along with its recommendations to the Provost and Executive Vice President for Academic Affairs.

### **Recommendation of the Provost and Executive Vice President for Academic Affairs**

The Provost and Executive Vice President for Academic Affairs considers all information that has been compiled, transmits the complete package along with his/her recommendations to the President, and then notifies the college

Deans of the recommendations involving Faculty within their respective colleges.

### **Final Dispositions and Reports**

Upon approval of the award of tenure and/or promotion to an individual by the President, that individual shall be notified in writing by the President; notification will be forwarded to the Board of Regents.

An annual report shall be made to the President by each Unit of the Institute on the status of its Faculty. The annual report shall include the numbers of tenured and non-tenured Faculty, by rank. Individuals who have been retained in full-time faculty status at the Institute for a period in excess of seven (7) 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.

The Institute shall provide data annually to the Board of Regents, showing the Institute's tenure rates by gender and race.

### **Feedback to Faculty Members**

After the final decision has been made and communicated in a letter from the President, 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.

In cases of disapproval of promotion, a candidate shall be counseled concerning the reasons for a negative decision.

Promotion and tenure decisions may be appealed through the Faculty Status and Grievance Committee. (See "Grievance: Process and Procedures", [Section 3.1.9](#)).

## **3.3.9 Periodic Peer Review Policy**

### **Purpose**

Periodic Peer Review (PPR) is 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 Institute and its Units.

The Institute recognizes that the granting of tenure for Faculty is an important protection of free inquiry and open intellectual debate. This PPR 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 PPR is most appropriately conducted by a committee of Faculty peers.

A Periodic Peer Review is both retrospective and prospective because it recognizes past contributions and provides 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, PPR 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, PPR 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 outcome of a PPR may be a recommendation for a five (5) year review if the Faculty member's performance is satisfactory or better; a three (3) year review if the Faculty member's performance is less than satisfactory; or a referral of the matter to the appropriate Dean for further consideration. A second consecutive recommendation for a three (3) year review indicates major and/or chronic deficiencies.

### **Evaluation Criteria**

- The criteria used may be those ordinarily used by the Faculty member's Unit, or alternative criteria may be applied to reflect the varying emphases/roles senior Faculty may play.
- The School Chair is responsible for formulating individualized alternative criteria, after consultation with the Faculty member; an understanding regarding such criteria must be reached and confirmed in writing prior to documentation submission.
- If there is no agreement on criteria, the Faculty member may request a hearing by a committee established by the Faculty of the Unit. The Committee's decision on criteria is final.

### **Submission of PPR Package by the Faculty member**

The Faculty member shall submit a PPR package, that contains:

- A cover sheet
- A copy of the approved individualized evaluation criteria, if applicable
- A current curriculum vitae
- A statement from the Faculty member, of up to five (5) pages
  - If the Faculty member is undergoing a second or subsequent PPR, the statement must include information on how goals from the previous review have been met.
  - The Faculty member should state his or her goals for the next five (5) years.
- The Faculty member's teaching evaluations
  - For the Faculty member's first PPR, all evaluations should be included
  - For subsequent reviews, only course evaluations from courses taught since the last evaluation should be included.
- Summaries of annual performance evaluations (to include rebuttals) for the years under consideration. The summary shall be prepared by the Chair and reviewed by the Faculty member.

### **Chair's Assessment Letter**

- After receipt of the PPR package, the School Chair will prepare a summary and assessment based upon the agreed criteria. The summary should be supported by the Faculty member's annual evaluations and rebuttals, if any. If it is not, the Faculty member should be given the opportunity to comment on the summary. The letter should also include a detailed assessment of the Faculty member's goals for the next five (5) years. The School Chair should deliver these documents to the Unit PPR committee.

### **Unit Level PPR Committee**

#### **Composition**

The Unit Faculty shall determine the composition of the committee, with the following limitations:

- The committee must have at least three (3) members.
- The committee shall be composed of tenured, Academic Faculty from the unit of the Faculty member's primary appointment. If a candidate has a joint appointment with budget sharing, then
  - The majority of the committee members for such Faculty members shall be from the primary Unit; and
  - At least one (1) member of the committee must be from the non-primary Unit



- The Chair shall not be a member of the committee. Whether to include administrative Faculty members other than the Chair is up to Unit Faculty. This decision shall be reviewed every five (5) years
- A single committee may review all PPRs or, if approved by the unit Faculty, several committees may do so.

The Faculty member to be reviewed may:

- Provide input on the composition of the committee for consideration by the Unit Faculty
- Select a member of the committee to serve as an "advocate" or choose to add another tenured Faculty member to serve as "advocate", with voice and vote.
- Remove one (1) person from the committee

### **Review Process**

The committee shall:

- Examine the documentation provided by the Faculty member and the Unit Head
- Assess the Faculty member's performance based upon agreed criteria. The assessment should be written, and should contain the information specified below, based upon the committee's recommendation

### **Five (5) year review recommendation following a First review or subsequent Five Year reviews: Faculty member is making appropriate progress**

The committee's report should contain:

- Narrative text commending satisfactory or better performance
- Critique of substandard performance (if any)
- Recommendations for corrective actions (if any)
- Recommendation for five (5) year review
- Record of committee's vote
- The signatures of all members of the PPR committee
- Comments on Faculty development and resources appropriate for execution. For Associate Professors, this should include activities to enhance prospects for successful promotion.

### **Three (3) Year review recommendation after an initial review or a five year review: Major or Chronic Deficiencies**

The committee's report should contain:

- Narrative text containing critique of substandard performance
- Detailed recommendations for corrective actions (if any)
- Narrative text containing commendation for satisfactory or better performance
- Recommendation for three (3) year review
- Record of committee's vote
- The signatures of all members of the PPR committee
- Comments on Faculty development and resources appropriate for execution. For Associate Professors, this section should include activities to enhance prospects for successful promotion.

### **Five (5) Year Review recommended after Three (3) Year Follow-up Review: No Major Deficiencies; Significant Improvement Made**

The committee's report should contain:

- Narrative text explaining that no major or chronic deficiencies are present
- Comments on what improvement(s) have been made, if any
- Recommendation for five (5) year review
- Record of committee's vote
- The signatures of all members of the PPR committee

### **Three (3) Year Review Recommendation after a Three Year Follow-up Review: Deficiencies Still Present, but the Faculty Member is Making Progress**

The committee's report should contain:

- Narrative text citing deficiencies still present
- Comments on any improvement made, as well as significant improvements not made
- Recommendations for corrective action
- Possible resources
- Recommendation for Three (3) Year Review and for Dean to consider referral to FSGC
- Record of committee's vote
- The signatures of all members of the PPR committee

### **Communication of Outcome of Five (5) and Three (3) Year Reviews:**

The committee shall submit to the School Chair and Dean:

- PPR Committee report
- Supporting documentation
- Chair's assessment of Faculty member's goals and performance

The Dean shall provide a copy of all documents to the Vice Provost for Graduate Education and Faculty Affairs; the Vice Provost's Office, through Faculty Affairs, maintains all files of reviews.

The Dean (Vice Provost for Graduate Education and Faculty Affairs for Colleges without Schools) shall transmit a letter and all documentation to the Faculty member.

### **Faculty Development Plans**

The Faculty member who receives a Three (3) Year Review is required to meet with the Unit Head and Dean to establish a development plan.

- **Initial Three (3) Year Reviews:** The Unit Head and Dean will arrange a meeting with the Faculty member to discuss the plan in a timely fashion. The Faculty member, Unit Head, and Dean will work together to develop a formal plan for Faculty development. The plan shall contain:
  - Specific goals or outcomes
  - An outline of activities to be undertaken
  - A timetable
  - Mutually agreed monitoring strategies
- **Subsequent Three (3) Year Reviews:** The Faculty member, Unit Head, and Dean will meet to discuss progress and update the previous formal development plan.

Resources may be allocated to assist in Faculty development. The plan shall be retained at the unit level and should be considered during the next review.

### **Decision of the Dean upon Committee Recommendation for a Second Consecutive Three (3) Year Review**

If the Unit level committee recommends a Three (3) Year Follow-up Review to the Dean, the Dean has two (2) options:

- Refer the matter to the FSGC, or
- Schedule another Three (3) Year Review

If referred to the FSGC:

- FSGC shall review the matter (see Grievances: Process and Procedures)
- FSGC, after review, shall send a recommendation to the President
- The President shall make the final decision

The President shall notify the Faculty member, in writing, of the decision

### **Appeals and Grievances**

The Faculty member being reviewed may appeal the Unit level recommendation, or other grievances related to the PPR process, to the Faculty Status and Grievance Committee (See Section [3.1.9](#) *Grievance: Process and Procedures*).

## **3.3.10 Process for 5-Year Comprehensive Review and Evaluation of School Chairs**

### **Purpose**

The performance of each academic School Chair 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 a comprehensive review 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."

Ultimately, the purpose of such comprehensive reviews is to determine whether the Chair should be reappointed for another term. A second five (5) year appointment has been typical whereas a third five (5) year appointment is unusual. Nevertheless the reappointment decision will be based on the best interests of the Institute, College, School and individual.

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.

### **Criteria and Procedures**

A review committee is appointed by the Dean of the College as follows:

- The Committee will consist of no fewer than five (5) members.
- A majority of the Committee members shall be chosen from tenured, non-administrative Faculty members in the unit.
- The Committee Chair shall be chosen by the Dean in consultation with the School's Faculty Advisory Committee.
  - The Committee will normally be chaired by a senior Faculty member.
  - The Committee Chair is normally from a different academic unit in the College.
- The School Chair has the opportunity to comment on the composition of the Committee.

### **Establishment of Criteria to be Used in Reviews**

The review criteria are to be defined by the Dean and the candidate prior to initial appointment or the Dean and the Chair prior to reappointment. As part of the Dean's annual review of the Chair, the criteria may be reaffirmed or modified in consultation with the Chair of the School. As part of the Dean's charge to the review committee, the Dean will review the evaluation criteria established at the beginning of the Chair's current term, as well as any changes made since that time. Specific responsibilities of school chairs that fall within these general criteria and must be included in the review are posted on the Faculty Affairs website.

### **General Criteria**

- Demonstrating evidence of commitment to the highest standards of quality in teaching, scholarship/research, academic development with evidence of the School's actual progress on all three (3).
- Providing effective management of internal affairs of the School.

- Recruiting/retaining the highest quality Faculty, Staff, and Students.
- Managing the School's fiscal affairs.
- Developing/maintaining open communications with all constituencies.
- Facilitating goal setting by individuals, programs, and by the Unit as a whole.
- Identifying issues and resolving conflicts affecting the Unit.
  - Developing internal and external resources.
  - Implementing fair and equitable performance evaluations and salary adjustments.
  - Establishing a working environment conducive to achieving individual and unit goals, as well as balancing and reconciling diverse interests with the unit.
  - Building relationships with constituencies within and outside of Georgia Tech.

### **Review Process**

The Dean may schedule the review for any time between four (4) and six (6) years after either the initial appointment of the Chair or the preceding formal review. The review may be timed to coincide with the mandatory Board of Regents' five (5) year Program Review. Utmost confidentiality must be maintained during the review process. The Dean will provide the Committee with confidentiality guidelines at their first meeting.

Early in the process, the Chair should be asked to meet with the review committee to provide a self-assessment. The Committee should seek input from Unit's Faculty, Staff, and Students, and other constituencies. The Committee should identify areas where the Chair should place added emphasis/attention if he/she continues to lead the unit over the next five (5) years.

### **Conclusion of the Review**

The Committee provides the Dean with a confidential, written report of no more than five (5) pages. The report shall include:

- Assessment of the School's progress under the Chair's leadership.
- Evaluation of the Chair's performance as a leader and administrator.
- Recommendations for improvement (if any).

The Chair being reviewed will have the opportunity to comment on the report. The Dean will evaluate the report and make a decision regarding the reappointment of the Chair. The Dean will communicate results of the review both orally and in writing to the Chair. The Dean will inform the Review Committee of the reappointment decision.

## **3.3.11 Process for 5-Year Comprehensive Review and Evaluation of Deans of Academic Units**

### **Purpose**

The performance of each Dean of an Academic Unit 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.

Ultimately, the purpose of such comprehensive reviews is to determine whether the Dean should be re-appointed for another term. A second five (5) year appointment has been typical whereas a third five (5) year appointment is unusual. Nevertheless the reappointment decision will be based on the best interests of the Institute, Unit, and individual.

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.

### **Criteria and Procedures**

A Review Committee shall be appointed by the Provost as follows:

- The Committee will consist of no fewer than five (5) members.
- The majority of the Committee members shall be chosen from tenured, non-administrative Faculty members in academic units supervised by the Dean.
- The Committee will normally be chaired by a senior Faculty member.
- The Committee Chair is normally from a different College/Unit.
- The Committee Chair is chosen by the Provost in consultation with the Chair of the Faculty Executive Board.
- The Dean has an opportunity to comment on the composition of the Committee.

### **Criteria Established to be Used in Reviews**

The review criteria are to be defined by the Provost and the candidate prior to initial appointment, or the Provost and the Dean prior to reappointment. As part of the Provost's annual review of the Dean, criteria will be reaffirmed or modified in consultation with the Dean. As part of the Provost's charge to review committee, the Provost will review the original criteria as well as any changes made.

### **General Criteria**

- Demonstrating evidence of commitment to the highest standards of quality in teaching, scholarship/research, academic development with evidence of College's actual progress on all three.
- Providing effective management of internal affairs of the College.
- Recruiting/retaining the highest quality administrators, Faculty, Staff, and Students.
- Managing the College's fiscal affairs.
- Developing/maintaining open communications with all constituencies.
- Facilitating goal setting by individuals, programs, Schools, and by the Unit as a whole.
- Identifying issues and resolving conflicts affecting the Unit.
- Developing internal and external resources.
- Implementing fair and equitable performance evaluations and salary adjustments.
- Establishing a working environment conducive to achieving individual and Unit goals, as well as balancing and reconciling diverse interests within the College.
- Building relationships with constituencies within and outside of Georgia Tech.

### **Review Process**

The Provost may schedule the review for any time between four (4) and six (6) years after either the initial appointment or the preceding formal review. For Colleges without Schools, the review of the Dean may be timed to coincide with the Board of Regents' five (5) year Program Review. Utmost confidentiality must be maintained during the review process. The Provost will provide the Committee with confidentiality guidelines at their first meeting.

Early in the process, the Dean should be asked to meet with the review Committee to provide a self-assessment. The Committee should seek input from Chairs, Faculty, Staff, Students, and other constituencies. The Committee should identify areas where the Dean should place added emphasis/attention if he/she continues to lead the Unit over the next five (5) years.

### **Conclusion of the Review**

The Committee shall provide the Provost with a confidential, written report of no more than five (5) pages. The report shall include:

- Assessment of the College's progress under the Dean's leadership.
- Evaluation of the Dean's performance as a "leader" and "administrator".
- Recommendation for improvement (if any).

The Dean being reviewed will have opportunity to comment on the report. The Provost will evaluate the report and

make a decision regarding reappointment of the Dean. The Provost will then communicate the results of the review both orally and in writing to the Dean. The Provost will inform the Review Committee of the reappointment decision.

## 4. Support of Education

### 4.1 The Students - [Edit](#)

All of Section 4.1, setting out principles by which the Faculty guides the educational progress of students, is considered part of the Statutes.

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.

#### **Admission and Acceptance**

In the admission of students, the Georgia Institute of Technology shall not discriminate on the basis of race, color, sex, religion, sexual orientation, creed, national origin, age, or handicap. 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.

#### **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. Consult the Student Rules and Regulations published in the Institute's General Catalog for policies concerning examinations and quizzes, progress reports, final examinations, and grades.

#### **Maintaining Academic Honesty**

The Office of Student Integrity and its [website](#) provide faculty and students with information about the standards, procedures, and best practices used at Georgia Tech in maintaining academic honesty. Key standards include:

[The Academic Honor Code](#)  
[Student Code of Conduct](#)

Consult the Student Rules and Regulations published in the Institute's General Catalog for additional related policies.

#### **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.

### **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 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.

## **4.2 Instructional Units - [Edit](#)**

A School (or a College without Schools) 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. It will typically have both members of the Academic Faculty and Research Faculty as defined in the *Handbook*. For the purposes of this section, the Faculty of such an Instructional Unit is defined as those individuals who devote 0.38 or more full-time equivalent (FTE) to that Unit. They may make such rules and divisions of responsibility as they deem appropriate to their missions. In general, educational matters will be the purview of the Academic Faculty of the unit.

An Academic Head of an Instructional Unit (e.g. Chair or Dean) holds office at the pleasure of the President. The Academic Head is appointed by the President with notification to the Board of Regents. In appointing an Academic Head, the President shall consider the recommendation of the Provost and of the Dean of the College of which the School is a subdivision if applicable. The Dean or Provost shall make such recommendation only after extensive consultation with the Instructional Unit's Faculty.

The Faculty of each Instructional Unit shall:

- Hold a meeting at least once during each academic semester;
- Subject to the limitations of Regents' policies and the Institute's policies, make rules and regulations for its government, establish such committees as may be required, and make other policies necessary for the maintenance of high educational standards in the Instructional Unit;
- Establish an elected Faculty Advisory Committee. This Committee shall be composed of full-time members of the Instructional Unit, elected by written vote of the Unit's Faculty. The Chair of the Committee shall be elected by the Committee from among its members. This Committee shall advise the Academic Head of the Instructional Unit on all matters concerning the welfare of the Unit;
- Subject to the direction of the Academic Faculty, be responsible for the program of studies offered by the Instructional Unit;
- Recommend such changes and modifications in its curriculum as it may deem desirable;
- Have the power to establish prerequisites for courses which it offers.

## **4.3 Teaching Evaluation and Support - [Edit](#)**

The Institute is committed to the highest standards in teaching and strives to constantly improve in teaching effectiveness.

### **Instructors of Record**

All Instructors of Record (whether permanent or temporary, full-time or part-time) are regularly evaluated for their

teaching effectiveness, in a manner set out in Sections [3.3.2](#) and [3.3.7](#). 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, teaching development seminars, retreats, and fellowships, as well as recognition through a number of awards. The center also provides new teachers with an orientation to teaching at the Institute.

### **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 eighteen (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 *Board of Regents Policy Manual*, Section [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.

## **4.4 Academic Program Review - [Edit](#)**

*Board of Regents Policy Manual*, 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 University System of Georgia Board of Regents (USG-BoR) as well as the Southern Association of Colleges and Schools (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.

### **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.

### **Program Review Organization**

Each year a list of units and programs that are due for review will be prepared by the Office of Assessment after coordination with the Associate Deans of each college. After review of this list and advice from the Faculty Executive Board, the Office of Assessment will prepare the annual program review guidelines, letters of notification to affected units, and will offer to facilitate planning meetings with each college Dean and appropriate 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 Dean, Vice Provosts, and Provost to assist with making recommendations to the faculty and staff in the unit. The Faculty Executive Board will also receive a report and make recommendations as appropriate on conclusions and plans emanating from academic program reviews that have been completed.

## **4.5 International Education - [Edit](#)**

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>.

## 4.6 Georgia Tech Professional Education (GTPE) - [Edit](#)

[Georgia Tech Professional Education \(GTPE\)](#) 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 GT Lorraine and Regents Engineering Transfer Program (RETP)] to students on the Georgia Tech campus, in the Southeast, the nation and the world. GTPE is housed in the Georgia Tech Global Learning & Conference Center in Technology Square under the leadership of the Dean of Professional Education.

### 4.6.1 Distance Learning - [Edit](#)

GTPE 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. GTPE 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.

GTPE 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. GTPE services may also be utilized for other Georgia Tech courses offered at a distance. GTPE provides various levels of production support depending on the needs of the academic unit.

#### 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 GTPE 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.

### 4.6.2 Professional Education - [Edit](#)

GTPE also 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 GTPE 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 Dean of 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.

GTPE'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 GTPE.

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 GTPE to enable Georgia Tech to report CEUs to the Board of Regents whenever possible and appropriate.

### **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 GTPE 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.

### **Credit for Reappointment, Promotion, and Tenure**

Instructional faculty members are encouraged to cite and document participation in GTPE 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.

## **4.7 Student Complaints and Grievances Against a Faculty Member - [Edit](#)**

### **Policy**

Feedback from students, whether of a positive or negative nature, should be used for the improvement of the educational programs and environment of the Institute.

### **Applicable Procedure**

Complaints or grievances related to discriminatory or sexual harassment are covered by the [Institute's Anti-Harassment Policy](#). Complaints or grievances related to grading disputes are covered by the "[Student Academic Grievance Procedures](#)" in the Georgia Tech Catalog. Allegations of scholarly misconduct are covered by the "Policy for Responding to Allegations of Scientific or Other Scholarly Misconduct" in Section [5.7](#) of the Faculty Handbook.

Students' complaints or grievances related to other issues should be made in writing to the appropriate administrator such as School Director, Department Head or Provost and Executive 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 copy of the written plan shall be shared with the faculty member and 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.

The administrator shall inform the student of the resolution of the complaint. If the student is not satisfied, the student may go to the next higher administrative level for review. (Assistance regarding procedures may be obtained from the Vice President of Student Life.)

## 4.1 The Students

All of Section 4.1, setting out principles by which the Faculty guides the educational progress of students, is considered part of the Statutes.

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.

### **Admission and Acceptance**

In the admission of students, the Georgia Institute of Technology shall not discriminate on the basis of race, color, sex, religion, sexual orientation, creed, national origin, age, or handicap. 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.

### **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. Consult the Student Rules and Regulations published in the Institute's General Catalog for policies concerning examinations and quizzes, progress reports, final examinations, and grades.

**Maintaining Academic Honesty**

The Office of Student Integrity and its [website](#) provide faculty and students with information about the standards, procedures, and best practices used at Georgia Tech in maintaining academic honesty. Key standards include:

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[Student Code of Conduct](#)

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**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.

**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 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.

## 4.2 Instructional Units

A School (or a College without Schools) 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. It will typically have both members of the Academic Faculty and Research Faculty as defined in the *Handbook*. For the purposes of this section, the Faculty of such an Instructional Unit is defined as those individuals who devote 0.38 or more full-time equivalent (FTE) to that Unit. They may make such rules and divisions of responsibility as they deem appropriate to their missions. In general, educational matters will be the purview of the Academic Faculty of the unit.

An Academic Head of an Instructional Unit (e.g. Chair or Dean) holds office at the pleasure of the President. The Academic Head is appointed by the President with notification to the Board of Regents. In appointing an Academic Head, the President shall consider the recommendation of the Provost and of the Dean of the College of which the School is a subdivision if applicable. The Dean or Provost shall make such recommendation only after extensive consultation with the Instructional Unit's Faculty.

The Faculty of each Instructional Unit shall:

- Hold a meeting at least once during each academic semester;
- Subject to the limitations of Regents' policies and the Institute's policies, make rules and regulations for its government, establish such committees as may be required, and make other policies necessary for the maintenance of high educational standards in the Instructional Unit;
- Establish an elected Faculty Advisory Committee. This Committee shall be composed of full-time members of the Instructional Unit, elected by written vote of the Unit's Faculty. The Chair of the Committee shall be elected by the Committee from among its members. This Committee shall advise the Academic Head of the Instructional Unit on all matters concerning the welfare of the Unit;
- Subject to the direction of the Academic Faculty, be responsible for the program of studies offered by the Instructional Unit;
- Recommend such changes and modifications in its curriculum as it may deem desirable;
- Have the power to establish prerequisites for courses which it offers.

## 4.3 Teaching Evaluation and Support

The Institute is committed to the highest standards in teaching and strives to constantly improve in teaching effectiveness.

### Instructors of Record

All Instructors of Record (whether permanent or temporary, full-time or part-time) are regularly evaluated for their teaching effectiveness, in a manner set out in Sections [3.3.2](#) and [3.3.7](#). 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, teaching development seminars, retreats, and fellowships, as well as recognition through a number of awards. The center also provides new teachers with an orientation to teaching at the Institute.

### 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 eighteen (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 *Board of Regents Policy Manual*, Section [8.3.5.2](#), each college making such assignments shall have written procedures to

- Provide appropriate training to support and enhance each individual's teaching effectiveness,
- Conduct regular assessments, based on written procedures and including results of student and faculty evaluations,
  - of each individual's teaching effectiveness and performance, and
- Assess competency in English and, if needed, provide for training in English language proficiency.

## 4.4 Academic Program Review

*Board of Regents Policy Manual*, 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 University System of Georgia Board of Regents (USG-BoR) as well as the Southern Association of Colleges and Schools (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.

### **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.

### **Program Review Organization**

Each year a list of units and programs that are due for review will be prepared by the Office of Assessment after coordination with the Associate Deans of each college. After review of this list and advice from the Faculty Executive Board, the Office of Assessment will prepare the annual program review guidelines, letters of notification to affected units, and will offer to facilitate planning meetings with each college Dean and appropriate 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 Dean, Vice Provosts, and Provost to

assist with making recommendations to the faculty and staff in the unit. The Faculty Executive Board will also receive a report and make recommendations as appropriate on conclusions and plans emanating from academic program reviews that have been completed.

## 4.5 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>.

## 4.6 Georgia Tech Professional Education (GTPE)

[Georgia Tech Professional Education \(GTPE\)](#) 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 GT Lorraine and Regents Engineering Transfer Program (RETP)] to students on the Georgia Tech campus, in the Southeast, the nation and the world. GTPE is housed in the Georgia Tech Global Learning & Conference Center in Technology Square under the leadership of the Dean of Professional Education.

### 4.6.1 Distance Learning - [Edit](#)

GTPE 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. GTPE 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.



GTPE 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. GTPE services may also be utilized for other Georgia Tech courses offered at a distance. GTPE provides various levels of production support depending on the needs of the academic unit.

### **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 GTPE 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.

### **4.6.2 Professional Education - [Edit](#)**

GTPE also 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 GTPE 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 Dean of 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.

GTPE'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 GTPE.

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 GTPE to enable Georgia Tech to report CEUs to the Board of Regents whenever possible and appropriate.

### **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 GTPE 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.

### **Credit for Reappointment, Promotion, and Tenure**

Instructional faculty members are encouraged to cite and document participation in GTPE 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.

## **4.6.1 Distance Learning**

GTPE 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. GTPE 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.

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### Credit for Reappointment, Promotion, and Tenure

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## 4.7 Student Complaints and Grievances 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 and environment of the Institute.

### Applicable Procedure

Complaints or grievances related to discriminatory or sexual harassment are covered by the [Institute's Anti-Harassment Policy](#). Complaints or grievances related to grading disputes are covered by the "[Student Academic Grievance Procedures](#)" in the Georgia Tech Catalog. Allegations of scholarly misconduct are covered by the "Policy for Responding to Allegations of Scientific or Other Scholarly Misconduct" in Section [5.7](#) of the Faculty Handbook.

Students' complaints or grievances related to other issues should be made in writing to the appropriate administrator such as School Director, Department Head or Provost and Executive 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 copy of the written plan shall be shared with the faculty member and 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.

The administrator shall inform the student of the resolution of the complaint. If the student is not satisfied, the student may go to the next higher administrative level for review. (Assistance regarding procedures may be obtained from the Vice President of Student Life.)

## **5. Faculty Affairs**

### **5.1 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 expressed in Section [6](#).

## 5.2 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*.

## 5.3 Intercollegiate Athletics Governance

### Purpose

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.

### Key Roles in Athletics Governance

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

### 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 Executive Vice-President for Administration and Finance, has oversight of the business operations of all affiliated organizations, including the GTAA.

### Georgia Tech Athletic Association Board of Trustees

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

The 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 GTAA 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 GTAA.

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 Executive Vice-President for Administration and Finance; eight (8) members of the Georgia Tech Faculty, of whom six (6) must be members of the Academic Faculty (one of whom shall be designated by the President as the Faculty Athletics Representative); three (3) alumni; and three (3) 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 (3) years and may be reappointed. The President will consult with the Faculty Executive Board concerning the appointment of the Faculty Athletics Representative and with the Chair of

the Faculty 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 the Institute 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.

### **Faculty Athletics Representative**

*Based on the NCAA Faculty Athletics Representative Handbook, 1/1998*

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 Academic Faculty Senate in accordance with the reporting requirement covered below under

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: (a) Office of Student Financial Planning and Services, (b) Office of Undergraduate Admission, (c) Registrar's Office, and (d) 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 the Institute 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 GTAA Board of Trustees.

## Academic Faculty Senate

The Faculty Athletics Representative shall make an annual presentation to the Academic Faculty 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 of the Institute. Matters of Faculty concern shall be referred to the appropriate offices or committees of the Faculty.

# 5.4 Intellectual Property Policy

## 5.4.1 Introduction - [Edit](#)

This policy shall be applicable to all full or part-time faculty, staff, and students of the Georgia Institute of Technology.

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.

### **5.4.2 Definitions - [Edit](#)**

"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.

### **5.4.3 Intellectual Property Advisory Committee - [Edit](#)**

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. 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.

### **5.4.4 Assignment and License of Rights - [Edit](#)**

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 5.4.4B. 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 5.4.4B above, the student hereby grants to GTRC and GIT a non-exclusive, royalty-free license to copy, display, distribute, perform, display and make derivative works of the Copyrighted Materials for GTRC’s and GIT’s purposes only.

### **5.4.5 Determination of Rights in Intellectual Property - [Edit](#)**

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 [5.4.2](#)).

#### 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 5.4.5 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 [5.4.5 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 [5.4.6](#).

#### E. Other Efforts

Ownership rights to Intellectual Property developed under any circumstances other than those listed in Section [5.4.5](#) 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.

### **5.4.6 Administrative Procedures** - [Edit](#)

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, Georgia Tech Professional Education, 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.

### **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:

	Net \$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.

### **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 two (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 one hundred (100) shares of equity with the company. The normal 33% Creators' share would be thirty-three (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  $0.33 \times 40 = 13.2$  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 sixty-seven (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 shown above 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.

### **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.

## **5.4.7 Fair Use and Other Protections Relating to Copyrights - [Edit](#)**

Faculty members may from time to time participate in creating a copyrighted work, which may be owned by GTRC in accordance with Sections [5.4.5](#) and [5.4.6](#). 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 [5.4.5](#) and [5.4.6](#).

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.

## **5.4.8 Other Matters - [Edit](#)**

### **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.

### **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 Faculty Executive Board, or on his or her own initiative, after consulting with the Intellectual Property Advisory Committee and the Faculty Executive Board.

### **Order of Precedence**

In the event of conflict, between this policy and any policy of the Board of Regents, the latter shall prevail.

## **5.4.1 Introduction**

This policy shall be applicable to all full or part-time faculty, staff, and students of the Georgia Institute of Technology.

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.

## 5.4.2 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.

## 5.4.3 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. 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.

## 5.4.4 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 5.4.4B above, 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.

## 5.4.5 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 [5.4.2](#)).

### 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 5.4.5 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 [5.4.5 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 5.4.6](#).

#### E. Other Efforts

Ownership rights to Intellectual Property developed under any circumstances other than those listed in [Section 5.4.5 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.

## 5.4.6 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, Georgia Tech Professional Education, 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.

### **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:

	Net \$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.

### **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 two (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 one hundred (100) shares of equity with the company. The normal 33% Creators' share would be thirty-three (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  $0.33 \times 40 = 13.2$  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 sixty-seven (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 shown above 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.

### **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.

## **5.4.7 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 [5.4.5](#) and [5.4.6](#). 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 [5.4.5](#) and [5.4.6](#).

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.

## 5.4.8 Other Matters

### **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.

### **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 Faculty Executive Board, or on his or her own initiative, after consulting with the Intellectual Property Advisory Committee and the Faculty Executive Board.

### **Order of Precedence**

In the event of conflict, between this policy and any policy of the Board of Regents, the latter shall prevail.

## 5.5 Policy on Open Access to Faculty Publications

The Faculty of Georgia Tech is committed to disseminating the fruits of its research and scholarship as widely as possible. In addition to the public benefit of such dissemination, this policy is intended to serve faculty interests by promoting greater reach and impact for articles, simplifying author retention of distribution rights, and aiding in electronic preservation. In keeping with these commitments, the Faculty adopts the following policy:

Each Faculty member grants to Georgia Tech Research Corporation (hereinafter "GTRC") nonexclusive permission to make available his or her scholarly articles and to exercise the copyright in those articles for the purpose of open dissemination. In legal terms, each Faculty member grants to GTRC a nonexclusive, irrevocable, royalty-free, worldwide license to exercise any and all copyrights in his or her scholarly articles published in any medium, provided the articles are not sold or licensed for a profit by GTRC or any GTRC-granted licensee.

This policy applies to all published scholarly articles that any person authors or co-authors while appointed as a member of the Faculty, except for any such articles authored or co-authored before the adoption of this policy, or subject to a conflicting agreement formed before the adoption of this policy, or conducted under a classified research agreement. Upon notification by the author, the Provost or Provost's designate will waive application of this license for a particular article. At author request, access will be delayed for up to one year.

To assist in distributing the scholarly articles, each Faculty member will make available an electronic copy of his or her final version of the article at no charge to a designated representative of the Provost's Office in appropriate formats (such as PDF) specified by the Provost's Office, no later than the date of publication. The Provost's Office or designate will make the scholarly article available to the public in an open-access institutional repository.

In lieu of submission to a Georgia Tech institutional repository, an author may satisfy the terms of this policy by making such work available through an alternative repository of the author's choosing, with notification to the Provost or Provost's designate, provided that such repository makes the work accessible in full-text to the public, without costs imposed on any individual user, and that it offers to preserve and maintain access to the work indefinitely.

The Provost will charge an Open Access Policy and Implementation Committee with policy interpretation and with developing a plan that renders compliance with the policy as convenient for the faculty as possible. The OA Policy and Implementation Committee comprises two members of the Library/Faculty Advisory Board, one member of the Faculty Services Committee, one member of the library staff, and one representative of GTRC.

The policy and service model will be reviewed after three years and a report presented to the Faculty. Thereinafter, the policy will be reviewed every five years.

In applying these policies to specific scholarly articles, faculty should utilize the Library's website, <http://openaccess.gatech.edu/> or [http://library.gatech.edu/scdc/SMARTech\\_submission](http://library.gatech.edu/scdc/SMARTech_submission).

## 5.6 Conflict of Interest and Outside Professional Activity Policy

### 5.6.1 Introduction - [Edit](#)

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 [5.6.6](#).

### 5.6.2 Definitions - [Edit](#)

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:

- o The Employee, or a member of his or her Family, has a significant financial interest in a business which transacts business with the Institute.
  - o 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 Faculty appointed by the Faculty Executive Board. 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 thirty (30) hours or more of work for the state per week for more than twenty-six (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/downloads/RegulatoryInformation/Guidances/UCM341008.pdf>].
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://coi.research.gatech.edu/files/FAQ\\_Sponsored\\_Travel.pdf](http://coi.research.gatech.edu/files/FAQ_Sponsored_Travel.pdf) 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 twenty-five (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.

### 5.6.3 Conflict of Interest - [Edit](#)

#### 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 [5.4](#)). 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 [5.6.4](#).

#### 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.

#### 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]

## **5.6.4 Disclosure of Real or Potential Conflict of Interest - [Edit](#)**

### **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]

### **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.

### **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 <https://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.

### **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.

### **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 below.

### **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.

### **Conflict of Interest Training Requirements**

Conflict of interest training is required for all Investigators before engaging in funded research and every four years thereafter.

## **5.6.5 Consulting - [Edit](#)**

### **Principles and General Standards**

The Institute recognizes that consulting is a benefit to the institution and the 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.

### **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.

### **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.

### **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](#).

### **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.

### **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.

### **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."

## 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.

## The Number of Permissible Consulting Days

The maximum number of consulting days permitted for a member of the Faculty without hourly time keeping on a twelve (12) month or nine (9) month appointment is one (1) 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 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 Faculty holding part-time appointments, using the following formula:  $[39 \times F]$ , 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.

## 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.

### **5.6.6 Penalties** - [Edit](#)

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.

### **5.6.7 Institutional Conflicts** - [Edit](#)

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.

## 5.6.1 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 [5.6.6](#).

## 5.6.2 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 Faculty appointed by the Faculty Executive Board. 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 thirty (30) hours or more of work for the state per week for more than twenty-six (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/downloads/RegulatoryInformation/Guidances/UCM341008.pdf>].

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://coi.research.gatech.edu/files/FAQ\\_Sponsored\\_Travel.pdf](http://coi.research.gatech.edu/files/FAQ_Sponsored_Travel.pdf) 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 twenty-five (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.

## 5.6.3 Conflict of Interest

### 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 [5.4](#)). 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 [5.6.4](#).

### 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.

### 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]

## 5.6.4 Disclosure of Real or Potential Conflict of Interest

### 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]

### **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.

### **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 <https://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.

### **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.

### **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 below.

### **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.

### **Conflict of Interest Training Requirements**

Conflict of interest training is required for all Investigators before engaging in funded research and every four years thereafter.

## **5.6.5 Consulting**

### **Principles and General Standards**

The Institute recognizes that consulting is a benefit to the institution and the 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.

### **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.

### **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.

### **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](#).

### **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.

### **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.

### **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."

### **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.

## **The Number of Permissible Consulting Days**

The maximum number of consulting days permitted for a member of the Faculty without hourly time keeping on a twelve (12) month or nine (9) month appointment is one (1) 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 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 Faculty holding part-time appointments, using the following formula:  $[39 \times F]$ , 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.

## **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.

## 5.6.6 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.

## 5.6.7 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.

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

### 5.7.1 Introduction - [Edit](#)

#### 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.

#### 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.

### 5.7.2 Definitions - [Edit](#)

*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.

### **5.7.3 Rights & Responsibilities - Edit**

#### **Provost**

The Provost in consultation with the Vice President for Legal Affairs and Risk Management (VP-LA&RM) 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 VP-LA&RM 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 VP-LA&RM will attempt to ensure that confidentiality is maintained. The VP-LA&RM 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.

### **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.

### **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).

### **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.

## **5.7.4 General Policies & Principles - [Edit](#)**

### **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 Executive Vice-President 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 VP-LA&RM 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 their hotline. 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.

### **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.

### **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.

### **Cooperation with Inquiries and Investigations**

All Georgia Tech employees will cooperate with the Committee of Inquiry, committee of Investigation and VP-LA&RM 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 VP-LA&RM or other institutional officials on misconduct allegations.

### **Decision to Conduct an Inquiry**

Upon receiving an allegation of scientific or other scholarly misconduct, the Provost in consultation with the VP-LA&RM 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 [5.7.2](#) of this policy.

## **5.7.5 Conducting the Inquiry - [Edit](#)**

### **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.

### **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 Section [5.7.13](#), Reference 6).

### **Appointment of the Inquiry Committee**

The Provost, in consultation with other institutional officials as appropriate, will appoint an inquiry committee and committee chair within five (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 five (5) business days, the Provost will determine whether to replace the challenged member or expert with a qualified substitute.

### **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 VP-LA&RM will be present or available throughout the inquiry to advise the committee as needed.

### **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.

## **5.7.6 The Inquiry Report - [Edit](#)**

### **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 VP-LA&RM will review the draft report.

### **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 ten (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.

### **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 five (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.

### **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 fifteen (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 sixty (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.

## **5.7.7 Conducting the Investigation** - [Edit](#)

### **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.

### **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.

### **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 ten (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 ten (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.

### **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 VP-LA&RM, 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.

### **Investigation Process**

The investigation committee will be appointed and the process initiated within thirty (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.

## **5.7.8 The Investigation Report - [Edit](#)**

### **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.

### **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 ten (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 ten (10) business days.

#### **Vice-President for Legal Affairs and Risk Management (VP-LA&RM)**

The draft investigation report will be transmitted to the VP-LA&RM 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 VP-LA&RM's office to review the report.

### **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.

### **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 [5.7.2](#) 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.

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

An investigation should ordinarily be completed within one hundred twenty (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.

## **5.7.9 Requirements for Reporting to Sponsors - [Edit](#)**

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 Section 5.7.13, 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 one-hundred twenty (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 an 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;
- The allegation involves a public health sensitive issue, e.g., a clinical trial; or
- There is a reasonable indication of possible criminal violation (see Section [5.7.13](#), Reference 9).

### **5.7.10 Institutional Administrative Actions - [Edit](#)**

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.

### **5.7.11 Other Considerations - [Edit](#)**

#### **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.

#### **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.

#### **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.

### **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.

### **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.

## **5.7.12 Record Retention - [Edit](#)**

After completion of a case and all ensuing related actions, the VP-LA&RM 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.

## **5.7.13 References - [Edit](#)**

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 5.6 of the Faculty Handbook.
5. See Section [5.7.11](#).
6. In the event PHS funding or applications for PHS funding are involved, the Provost and VP-LA&RM 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 twenty-four (24) hours of obtaining that information if PHS funding is involved.

# **5.7.1 Introduction**

## **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.

## 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.

## 5.7.2 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.

## 5.7.3 Rights & Responsibilities

### **Provost**

The Provost in consultation with the Vice President for Legal Affairs and Risk Management (VP-LA&RM) 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 VP-LA&RM 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 VP-LA&RM will attempt to ensure that confidentiality is maintained. The VP-LA&RM 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.

### **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.

### **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).

### **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.

## **5.7.4 General Policies & Principles**

### **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 Executive Vice-President 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 VP-LA&RM 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 their hotline. 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.

### **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.

### **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.

### **Cooperation with Inquiries and Investigations**

All Georgia Tech employees will cooperate with the Committee of Inquiry, committee of Investigation and VP-LA&RM 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 VP-LA&RM or other institutional officials on misconduct allegations.

### **Decision to Conduct an Inquiry**

Upon receiving an allegation of scientific or other scholarly misconduct, the Provost in consultation with the VP-LA&RM 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 [5.7.2](#) of this policy.

## **5.7.5 Conducting the Inquiry**

### **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.

### **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 Section [5.7.13](#), Reference 6).

### **Appointment of the Inquiry Committee**

The Provost, in consultation with other institutional officials as appropriate, will appoint an inquiry committee and committee chair within five (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 five (5) business days, the Provost will determine whether to replace the challenged member or expert with a qualified substitute.

### **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 VP-LA&RM will be present or available throughout the inquiry to advise the committee as needed.

### **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.

## **5.7.6 The Inquiry Report**

### **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 VP-LA&RM will review the draft report.

### **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 ten (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.

### **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 five (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.

### **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 fifteen (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 sixty (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.

## 5.7.7 Conducting the Investigation

### **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.

### **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.

### **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 ten (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 ten (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.

### **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 VP-LA&RM, 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.

### **Investigation Process**

The investigation committee will be appointed and the process initiated within thirty (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.

## **5.7.8 The Investigation Report**

### **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.

### **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 ten (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 ten (10) business days.

#### **Vice-President for Legal Affairs and Risk Management (VP-LA&RM)**

The draft investigation report will be transmitted to the VP-LA&RM 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 VP-LA&RM's office to review the report.

### **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.

### **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 [5.7.2](#) 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.

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

An investigation should ordinarily be completed within one hundred twenty (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.

## **5.7.9 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 Section 5.7.13, 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 one-hundred twenty (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 an 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;
- The allegation involves a public health sensitive issue, e.g., a clinical trial; or
- There is a reasonable indication of possible criminal violation (see Section [5.7.13](#), Reference 9).

## 5.7.10 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.

## 5.7.11 Other Considerations

### **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.

### **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.

### **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.

### **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.

### **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.

## **5.7.12 Record Retention**

After completion of a case and all ensuing related actions, the VP-LA&RM 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.

## **5.7.13 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 5.6 of the Faculty Handbook.
5. See Section [5.7.11](#).
6. In the event PHS funding or applications for PHS funding are involved, the Provost and VP-LA&RM 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 twenty-four (24) hours of obtaining that information if PHS funding is involved.

## **6. Campus Use Procedures**

The application of these procedures will be consistent with the Policy on Freedom of Expression set out in Section [5.1](#) of the *Faculty Handbook*. The procedures set out in Section 6 apply 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.

## 6.1 Definitions

As used in Section 6:

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 Faculty Executive Board 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 6.11](#) 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 of Student Life" or "VPSL" means the Vice President of Student Life or any designee or representative of the Vice President of Student Life.
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.

## 6.2 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 Faculty Executive Board ; the Vice President of Student Life 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 policies 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.

## 6.3 Use of Outdoor Spaces

### 6.3.1 Use by the General Public - [Edit](#)

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](mailto:events@spaceplan.gatech.edu).

### 6.3.2 Use by Student Organizations - [Edit](#)

#### 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 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.
- e. 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](mailto:events@spaceplan.gatech.edu).

#### 4. Displays and Exhibits

Refer to CPSM website (<http://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.

## 6.3.1 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.

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Refer to CPSM website (<http://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.

## 6.4 Applications for Use of Institute Facilities

### 6.4.1 Use by the Institute - [Edit](#)

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 Georgia Tech 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.

## 6.4.2 Applications and Processing of Applications - [Edit](#)

1. Requests for the use of Institute facilities should be directed to CPSM, with the exception of those buildings listed in [Section 6.11](#).
2. All requests should be submitted at least five (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.

## 6.4.3 Limitations on Use - [Edit](#)

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.

#### **6.4.4 Non-Institute Speakers Invited by Students and Student Organizations - [Edit](#)**

1. Procedure for Chartered Student Organizations

1. Any chartered student organization or SGA may invite a guest speaker to address their membership without prior authorization.
2. 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:

1. An authorized officer of the organization shall submit notice in writing to the appropriate scheduling officer via email.
2. 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
  1. In the absence of sponsorship by a chartered student organization or other Institute authority, a petition to the Vice President of Student Life may initiate invitation of a speaker.
  2. 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.
  3. The first five signers of the petition shall constitute a committee responsible for arrangements, and the first signer shall be chairman.
  4. The petition shall contain the following information:
    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;
    4. The Institute facility requested; and
    5. Information that will satisfy the Vice President of Student Life that funds are on hand to pay all expenses involved.
3. Procedure after Approval of Request for Non-Institute Speaker
  1. 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.
  2. 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.

## **6.4.5 Non-Institute Speakers Invited by Faculty, Staff, or Faculty or Student Organizations -**

[Edit](#)

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 6.4.1](#).
  - 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.

## 6.4.1 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 Georgia Tech 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.

## 6.4.2 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 6.11](#).
2. All requests should be submitted at least five (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.

## 6.4.3 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.

## 6.4.4 Non-Institute Speakers Invited by Students and Student Organizations

### 1. Procedure for Chartered Student Organizations

1. Any chartered student organization or SGA may invite a guest speaker to address their membership without prior authorization.
2. 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:
  1. An authorized officer of the organization shall submit notice in writing to the appropriate scheduling officer via email.
  2. 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

1. In the absence of sponsorship by a chartered student organization or other Institute authority, a petition to the Vice President of Student Life may initiate invitation of a speaker.
2. 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.
3. The first five signers of the petition shall constitute a committee responsible for arrangements, and the first signer shall be chairman.
4. The petition shall contain the following information:
  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;
  4. The Institute facility requested; and
  5. Information that will satisfy the Vice President of Student Life that funds are on hand to pay all expenses involved.

### 3. Procedure after Approval of Request for Non-Institute Speaker

1. 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.
2. 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.

## 6.4.5 Non-Institute 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 6.4.1](#).
- 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.

## 6.5 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.

## 6.6 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 6.2](#)) 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.

## 6.7 Forms of Appeal

Any appeal filed pursuant to Section [6.6](#) 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.

## 6.8 Waiver of Requirements 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.

## 6.9 Rental of License of Facilities by Non-Institute Persons or Organizations

### 6.9.1 Conditions of Rental or License - [Edit](#)

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.

## 6.9.2 Classification of Activities and Events - [Edit](#)

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.

## 6.9.3 Reservation Process - [Edit](#)

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. CPSPM 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.

## 6.9.4 Charges for Use of Georgia Tech Facilities - [Edit](#)

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.

### **6.9.5 Student Organization Co-Sponsored Event** - [Edit](#)

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.

## **6.9.1 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.

## 6.9.2 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.

## 6.9.3 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:
  - o The availability of the desired facility
  - o The nature of the proposed event
  - o The organization's ability to meet expenses and the attendant costs for the event
  - o Anticipated attendance
  - o Supervision and control of the facility
  - o Supervision of the event
  - o Admission charges, ticket printing and sales
  - o Staffing of box office and gate
  - o Care and disposition of the monies collected for the event
  - o Publicity
  - o Food service
  - o Alcoholic beverages
  - o Police and custodial coverage
  - o Insurance requirements
  - o Fire code regulations
  - o EMT services
  - o Program/activity accessibility
  - o Crowd control
  - o Provisions for guests
  - o Signing of contracts/agreements for facility and services
  - o Needed equipment and/or special services
  - o Accounting for any income derived from the event
  - o Set-up of the facility
  - o Compliance with all other Institute regulations, federal and state laws
  - o Clean-up and restoration of the facility to its original condition
  - o Parking considerations
  - o Housing needs
  - o Coordination of campus support services
  - o 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.

## 6.9.4 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.

## 6.9.5 Student Organization Co-Sponsored 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.

## 6.10 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.

## 6.11 Institute Facilities that have their own Scheduling Officer

(Include but are 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
- Manufacturing Research Center – MARC
- Wardlaw Building