



# Faculty Handbook

Office of Faculty Support Services  
Georgia Institute of Technology  
Atlanta, GA 30332-0330  
Phone: (404) 894-5058

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# **INTRODUCTION**

## **1. INTRODUCTION**

### **1.1 The University System of Georgia**

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

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

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

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

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

The System currently includes thirty-four institutions: six universities, thirteen senior institutions, and fifteen two-year colleges. These institutions are both

individually distinctive and interrelated. They are geographically dispersed so that approximately ninety-six percent (96%) of the people in Georgia reside within thirty-five miles of at least one university or college.

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

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Source: Office of the Board of Regents. Date: 2004

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## **1.2 Georgia Institute of Technology**

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

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

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

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

Students who wish to combine industrial work experience with their classroom studies can enroll in Tech's "Cooperative Plan." This program has been in continuous operation at Tech since 1912 and with over 600 participating employers throughout the U.S. and some international locations. Approximately

one-third of Georgia Tech's students participate in the Co-op Program which is the largest of its kind in the nation. This program is also available to students at the graduate level.

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

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

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

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Source: Office of Institutional Research & Planning. Date: 6/2003 Update: 4/2005

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### **1.3 A Diverse Community**

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

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

Each member of our community must be committed to the creation of a harmonious climate. One cannot be neutral to the challenge diversity presents.

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Those who are committed to the creation of a harmonious climate for diversity strengthen Georgia Tech as well as themselves.

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

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

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Source: Office of the President. Date: 8/1996 Update: 4/2005

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# STATUTES

## 2. THE STATUTES OF THE GEORGIA INSTITUTE OF TECHNOLOGY AND FACULTY GOVERNANCE

### 2.1 Revision History of the Statutes

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

- 10-Jun-1981: Statutes (with amendments) approved by the Board of Regents of the University System of Georgia.
- 27-Apr-1997: Split the Statutes into two separate documents; the Statutes and the Bylaws.
- 02-Feb-1999: Eliminate the Public Relations committee. Remove its corresponding sections.
- 02-Feb-1999: Add the Student Computer Ownership committee. Add Sections [5.6.14](#) and [10.7.14](#).
- 02-Feb-1999: Revise Section [5.1.1](#) to add the category of Academic Professional to the list for possible General Faculty membership.
- 02-Feb-1999: Create a new General Faculty membership category called "Professional Classified Staff" and describe it in Section [5.1.1](#).
- 27-Apr-1999: Modify references in the Statutes and Bylaws to reflect the new semester system.
- 10-May-2000: BOR approval of Statutes and Bylaws with changes up to this point.
- 18-Apr-2000: Allow for an extension of the probationary period for tenure as a consequence of any approved Georgia Tech policy by adding a sentence to Section [5.8](#)
- 18-Apr-2000: Change all references to explicit titles of some administrators to generic form. *Do not change* the titles for President, Provost, Registrar, Director of GTRI, College Deans, School Chairs, and Department Heads.
- 18-Apr-2000: Add new paragraph in Section [5](#) to allow an Administrator appointed to a position by these Statutes and Bylaws to appoint a qualified substitute Administrator to serve in their place.

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- 16-Jan-2001: Executive Board changes to Section [13](#). “Executive Board’s Guidelines To General Faculty Membership.” Required no approval from the General Faculty Assembly or the Academic Senate.
- 09-Oct-2001: Add to Section [5.1.1](#) stating that Faculty whose title includes the words “Temporary” or “Visiting” shall not be considered as members of the “Corps of Instruction” for the purposes of faculty governance.
- 09-Oct-2001: Provide in Section [5.2.3](#) for representation in the General Faculty Assembly for Faculty who are in a College but who are not members of a Department of Instruction.
- 09-Oct-2001: Modify Section [5.5.1](#) to remove the Vice Provost from membership on the Executive Board.
- 09-Oct-2001: Add to Section [5.5.1](#) to clarify that a person elected to the Executive Board vacates their position on the General Faculty Assembly (and, if a member, also of the Academic Senate) as a representative of their unit.
- 09-Oct-2001: Revise Section [10.7.1](#) to modify the procedure for replacing a member of a standing committee who resigns their position.
- 23-Apr-2002: Changes concerning the Undergraduate Curriculum Committee outlined in Sections [5.6.7](#) and [10.7.9](#).
- 23-Apr-2002: Changes concerning the Graduate Curriculum Committee outlined in Sections [5.6.8](#) and [10.7.10](#).
- 23-Apr-2002: Changes concerning the Faculty Honors Committee outlined in Section [10.7.2](#).
- 08-Oct-2002: Changes concerning Membership of Student Regulations Committee outlined in Section [10.7.11](#).
- 08-Oct-2002: Changes concerning Duties of Faculty Status and Grievance Committee outlined in Sections [5.6.3](#) and [5.8](#).
- 25-Feb-2003: Changes concerning increasing the size of the Student Honor Committee & formation of Hearing Panels outlined in Section [10.7.4](#).
- 25-Feb-2003: Addition of Section [10.7.15](#) concerning Formation of a new Standing Committee on Academic Integrity
- 22-Apr-2003: Change increasing the size of the Faculty Honors committee outlined in Section [10.7.2](#).
- 20-Apr-2004: Specify the responsibilities of the Undergraduate Curriculum and Graduate Committees for periodic



program reviews, in Sections [5.6.7](#) and [5.6.8](#).

## 2.2 Foreword

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

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

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

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

## 2.3 Preamble

As empowered by the Board of Regents of the University System of Georgia and limited by [The Policy Manual of the Board of Regents \(Section 302.06\)](#), the Faculty of the Georgia Institute of Technology sets forth the following regulations for its governance and designates them to be The Statutes of the Georgia Institute of Technology. The Statutes seek to encompass basic principles, to delineate the rights and responsibilities of each component of the Institute, and to

provide for communication among the components so that, through cooperative action, the purposes of the Institute can be best served. In case of any divergence from or conflict with the official policies of the Board of Regents of the University System of Georgia to be found in these Statutes, the policies shall prevail.

The Statutes comprise Sections [3](#) – [8](#) of the Faculty Handbook.

### **3. THE INSTITUTE**

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

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

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

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

### **4. THE ADMINISTRATION**

The President, the chief executive officer of the Institute, is elected annually by the Board of Regents. The powers of the President are those ordinarily implied by the office and are stipulated in [The Policy Manual of the Board of Regents \(Section 204\)](#). By the nature of the office, the President is the chief

spokesperson of the Institute and has the ultimate responsibility for defining goals, for taking administrative action, and for creating public understanding. The President utilizes the judgments of the Faculty and also seeks outside evaluations by organizations and scholars of acknowledged competence. The President ensures that Faculty and student views, including dissenting views, are presented through the Chancellor to the Board of Regents in those areas and on those issues where responsibilities are shared. The President confers all degrees, presides at Commencement ceremonies, and authorizes the issuance of all diplomas and certificates.

As provided in the policies of the Board of Regents ([Policy Manual, Section 204](#)), the President is the Chair of whatever legislative bodies the Faculty establishes and is *ex officio* a member of all committees, councils, or boards. Recommendations for all appointments, reappointments, promotions, and dismissals of members of the Administration and the Corps of Instruction are made by the President or the President's designees annually to the Board of Regents through the Chancellor. The President identifies and defines the responsibilities of other members of the Administration who, serving at the President's discretion, guide and direct other functions necessary to this complex academic institution. Through memoranda and organizational charts, the President advises the Institute of organizational changes and shifts in the responsibilities of members of the Administration. Hereafter in these Statutes, members of the Administration will be referred to as Administrators.

## **5. THE FACULTY**

### **5.1 The General Faculty**

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

#### **5.1.1 Members**

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

#### ***Corps of Instruction***

Comprises:

- Full-time members whose titles, in full or part, are contained in the following list: Regents Professor, Professor, Associate Professor, Assistant Professor, Instructor, Lecturer.
- Full-time members whose titles, in full or in part, are contained in the following list: Principal Research Engineer, Senior Research Engineer, Research Engineer II, Research Engineer I (Engineer may also read Scientist, Associate, or Technologist).

- Other full-time extension personnel, duly certified librarians, Academic Professionals, and other teaching personnel with such other titles as may be approved by the Board of Regents.

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

### ***Administrative Officers***

Comprise:

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

### ***Professional Classified Staff***

Persons in professional positions that require at least a masters degree or its equivalent in education and experience in a relevant field and are approved by the President. See Executive Boards Guidelines to General Faculty Membership, [Section 13](#).

### ***Others***

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

### ***Prior Status***

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

### **5.1.2 Nonvoting Delegates**

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

### **5.1.3 Powers**

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

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

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

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

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

#### **5.1.4 Limitations of Powers**

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

### **5.2 The General Faculty Assembly**

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

#### **5.2.1 Composition**

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

#### **5.2.2 Ex officio Members**

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

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

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

The representatives from Services and Central Administration shall be elected proportionally from the Libraries, the Office of the Dean of Students, and the aggregate of others.

In colleges with Departments of Instruction and in the Georgia Tech Research Institute, at least one representative shall be elected from each sub-unit.

In colleges a sub-unit is defined as a Department of Instruction with ten or more members of the General Faculty or an aggregate of such with ten or more members.

Such aggregate sub-units, when required to be formed, shall be determined by the Executive Board.

In colleges with Departments of Instruction, there will also be an administrative sub-unit composed of the Office of the Dean, Centers reporting to the Dean, and any other unit of the College that is not a Department of Instruction.

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

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

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

### **5.2.4 Eligibility of Voters and Candidates**

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

- Ex officio members of the Assembly.
- General Faculty members who are presently serving as members of the General Faculty Assembly.

- Previous Executive Board members whose Board terms ended earlier in the Spring semester.

### **5.2.5 Term of Office**

A representative shall be elected to a term of three years. Representatives may not be elected to serve consecutive terms. The election of representatives shall be held every year with approximately one third of these positions being filled each year. At this election representatives shall also be chosen by the appropriate units to serve the remainder of the term of those who have been elected to membership on the Executive Board. If representatives resign, take leave of absence, or undergo a change of assignment so that they no longer qualify as members of the unit which they were elected to represent, the Executive Board shall arrange an election for replacements to serve the remainder of the term.

## **5.3 The Academic Faculty**

### **5.3.1 Members**

The membership of the Academic Faculty shall be as follows:

#### ***Corps of Instruction***

Comprises:

- Chairs of all Departments of Instruction.
- Members of the General Faculty with the ranks of Regents Professor, Professor, Associate Professor, and Assistant Professor.

#### ***General Faculty***

Comprise:

- The President, the Provost, administrative and academic deans, the Registrar, the Administrator in charge of Libraries, and those other persons in administrative positions who report directly to the President, and those persons in administrative positions who report to the Provost.
- All General Faculty members of the Executive Board.
- Librarians IV, III, and II.

### **5.3.2 Nonvoting Delegates**

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

### **5.3.3 Powers**

It shall formulate and develop comprehensive educational policies and regulations.

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

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

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

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

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

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

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

### **5.3.4 Limitations of Powers**

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

## **5.4 The Academic Senate**

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



#### 5.4.1 Composition

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

#### 5.4.2 Ex officio Members

The President and the Provost.

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

#### 5.4.3 Distribution of Elected Representatives

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

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

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

### 5.5 The Executive Board Of The Institute

#### 5.5.1 Composition

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

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

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

Members shall be elected by the following units from their elected representatives in the General Faculty Assembly: each College, the Georgia

Tech Research Institute, and a composite unit of Service and Central Administration.

General Faculty members of each unit shall elect one member, who is not an administrator, for each one hundred General Faculty members (rounded) in that unit, with no less than one member and no more than three from each unit.

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

On election to the Executive Board, faculty vacate their membership on the General Faculty Assembly, and if applicable, on the Academic Senate, as an elected representative of their unit.

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

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

#### **5.5.2 Procedure**

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

#### **5.5.3 Powers**

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

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

At the end of the Fall semester, the Executive Board shall appoint a Nominating Committee, charging it with preparing a slate of nominees to fill positions becoming vacant in the membership of each Standing Committee. The Nominating Committee shall be composed of six members of the Corps of

Instruction, as defined in Section [5.1.1](#) and Section [5.3.1](#) (two from the Executive Board, two from the General Faculty, and two from the Academic Faculty) and one student named jointly by the student representatives to the Executive Board. The Chair shall be named by the Board from among the Faculty members. Reports for each body shall be presented by the Nominating Committee to the Executive Board and shall contain at least two nominations for each position to be filled.

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

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

### **5.6 Standing Committees**

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

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

#### General Faculty

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

#### Academic Faculty

- Undergraduate Curriculum Committee
- Graduate Committee
- Student Regulations Committee
- Student Academic and Financial Affairs Committee
- Student Activities Committee

- Student Grievance and Appeal Committee
- Student Honor Committee
- Student Computer Ownership Committee

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

#### **5.6.1 Faculty Benefits Committees**

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

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

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

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

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

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

#### **5.6.2 Faculty Honors Committee**

See Bylaws, Section [10.7.2](#).

#### **5.6.3 Faculty Status and Grievance Committee**

See Bylaws, Section [10.7.5](#).

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

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

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

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

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

#### **5.6.4 Statutes Committee**

See Bylaws, Section [10.7.6](#).

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

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

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

#### **5.6.5 Academic Services Committee**

See Bylaws, Section [10.7.7](#).

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

#### **5.6.6 Welfare and Security Committee**

See Bylaws, Section [10.7.8](#).

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

### **5.6.7 Undergraduate Curriculum Committee**

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

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

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

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

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

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

### **5.6.8 Graduate Committee**

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

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

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

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

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

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

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

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

#### **5.6.9 Student Regulations Committee**

See Bylaws, Section [10.7.11](#).

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

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

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

See Bylaws, Section [10.7.12](#).

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

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

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

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

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

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

The Committee shall approve all intercollegiate schedules of extracurricular activities, such as athletics and debate. In addition, the Committee shall approve all institutional functions for which excused absences from classes for the students involved are to be granted.

#### **5.6.11 Student Activities Committee**

See Bylaws, Section [10.7.3](#).

#### **5.6.12 Student Grievance and Appeal Committee**

See Bylaws, Section [10.7.13](#).

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

The Committee shall arrange for and conduct hearings on each request by students for reconsideration of a ruling against them by the judicial arm of the student government and shall render a decision in the case. If the decision is appealed, the Committee shall transmit all its records of the case to the President for further consideration. A student may apply for a review of the decision of the President to the Board of Regents, as provided for by [The Policy Manual of the Board of Regents \(Section 407.01\)](#). 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.

#### **5.6.13 Student Honor Committee**

See Bylaws, Section [10.7.4](#).

#### **5.6.14 Student Computer Ownership Committee**

See Bylaws, Section [10.7.14](#).



## 5.7 Appointments

### 5.7.1 Introduction

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

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

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

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

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

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

### 5.7.2 Basis of Appointment and Promotion

Every appointment or promotion shall be made solely on the basis of merit and the special abilities of the individual, as delineated in [The Policy Manual of the Board of Regents \(Section 803\)](#). Additional criteria or guidelines for renewal, promotion, and conferral of tenure in professorial ranks may be established by the President in consultation with the Executive Board and shall be published and distributed to the Faculty.

### 5.7.3 Additional Considerations

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

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

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

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

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

#### **5.7.4 Employment Contracts**

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

#### **5.7.5 Notice of Resignation**

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

### **5.8 Tenure and Promotion**

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

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

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

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

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

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

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

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

shall be identified by name and justification for such retention given. These reports shall be available for public inspection.

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

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

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

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

### **5.9 Nonreappointments**

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

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

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

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

before the date of termination of a contract after two or more years of service in the Institute.

## **5.10 Procedures for Removal of Faculty Members**

### **5.10.1 Introduction**

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

- Conviction or admission of guilt of a felony or a crime involving moral turpitude during the period of employment or prior thereto if the conviction or admission of guilt was willfully concealed;
- Professional incompetence, neglect of duty, or default of academic integrity in teaching, research, or scholarship;
- Sale or distribution of illegal drugs, teaching under the influence of alcohol or illegal drugs, or any other use of alcohol or illegal drugs which interferes with the Faculty members performance of duty or responsibilities to the Institute or to their profession;
- Physical or mental incompetence as determined by law or a medical board of three or more licensed physicians and reviewed by the Faculty Status and Grievance Committee;
- False swearing with respect to official documents filed with the Institute;
- Disruption of any teaching, research, administrative, disciplinary, public service, or other authorized activity.

### **5.10.2 Preliminary Procedures**

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

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

### **5.10.3 Provision for Hearing Committee**

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

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

Members of the Hearing Committee may serve concurrently on other committees of the Faculty. The Hearing Committee will meet as a body when it is called into session by the Chair of the Executive Board either at the 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 so disqualified for bias or interest. Each party shall have a maximum of two challenges without stated cause; provided, however, that all challenges whether with or without cause shall be made in writing and filed with the Chair of the Hearing Committee at least five (5) days in advance of the date set for the hearing. The Chair shall have the authority to decide whether a member of the Committee is disqualified for cause. If the Chair determines that members are so disqualified or if members remove themselves from a case, the replacement shall be made in the same manner as the original Committee was selected. If the Chair is thus removed, the Committee shall elect a new Chair after the Committee replacements have been appointed. A minimum of three members is required for any action to be taken.

### **5.10.4 Dismissal Procedures**

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

- Service of notice of the hearing with specific reasons or charges against the Faculty member together with the names of the members of the Hearing Committee shall be made in writing at least twenty (20) days prior to the hearing. The Faculty member may waive a hearing or may respond to the charges in writing at least five (5) days in advance of the date set for the hearing. If a Faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the Hearing Committee shall evaluate all available evidence and rest its recommendation upon the evidence in the record.
- The Hearing Committee, in consultation with the President and the Faculty member, may exercise its judgment as to whether the hearing should be public or private.

- During the proceedings the Faculty member and the Administration shall each be permitted to have an academic advisor and/or counsel of their choice. The Hearing Committee shall be permitted to have advisory counsel.
- At the request of either party or the Chair of the Hearing Committee, a representative of a responsible educational association shall be permitted to attend as an observer.
- A tape recording or transcript of the proceeding shall be kept and made available to the Faculty member and the Administration in the event an appeal is filed.
- An oath or affirmation shall be administered to all witnesses by any person authorized by law to administer oaths in the State of Georgia.
- The Hearing Committee may grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.
- The Faculty member and the administration shall be afforded a reasonable opportunity to obtain necessary witnesses and documentary or other evidence.
- The Faculty member and the Administration will have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear but the Committee determines that the interests of justice require the admission of the witness statement, the Committee will identify the witness, disclose the statement, and, if possible, provide for interrogatory.
- The Hearing Committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available. All questions relating to admissibility of evidence or other legal matters shall be decided by the Chair or presiding officer.
- The findings of fact and the decision of the Hearing Committee will be based solely on the hearing record.
- Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by either the Faculty member or Administrative Officers should be avoided until the proceedings have been completed, including consideration by the Board of Regents in the event an appeal is filed. The President and the Faculty member will be notified in writing of the decision and recommendation, if any, of the Hearing Committee.
- If the Hearing Committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the President. If the President does not approve the report, the President should state the reasons in writing to the Committee for response before rendering a final decision. If the Committee concludes that an academic

penalty less than dismissal would be more appropriate than dismissal, it may so recommend with supporting reasons. The President may or may not follow the recommendations of the Committee.

- After complying with the foregoing procedures, the President shall send an official letter to the Faculty member notifying the member of either retention or removal for cause. Such letter shall be delivered to addressee only, with receipt to show to whom and when delivered and address where delivered. The letter shall clearly state any charges which the President has found sustained and shall notify the Faculty member that an appeal may be made to the Board of Regents for review. The appeal shall be submitted in writing to the Executive Secretary of the Board of Regents within twenty (20) days following the decision of the President. It shall state the decision complained of and the redress desired. The Board of Regents or a committee of the Board shall investigate the matter thoroughly and render its decision thereon within sixty (60) days from the date of the receipt of the appeal or from the date of any hearing which may be held thereon.
- Upon dismissal by the President, the Faculty member shall be suspended from employment without pay from the date of the final decision of the President. Should the Faculty member be reinstated by action of the Board of Regents, compensation shall be made from the date of suspension.

#### **5.10.5 Relief from Duties during Dismissal Proceedings**

The President in consultation with the Executive Board shall determine whether a Faculty member confronted with a dismissal charge shall be temporarily relieved of duties. Unless legal considerations forbid, any such relief from duties will be with pay.

#### **5.10.6 Designated Representative**

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

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

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

#### **5.12 Departments of Instruction**

A Department of Instruction (or a College without Departments) is an administrative subdivision of the Institute organized for the purpose of giving instruction and carrying on research in one of the well-organized branches of study and investigation. For the purpose of this section, the Faculty of a



Department of Instruction is defined as those individuals who devote 0.38 or more EFT to that unit and have the rank of Regents Professor, Professor, Associate Professor, Assistant Professor, or Instructor.

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

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

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

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

## **6. THE STUDENTS**

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

### **6.1 Admission and Acceptance**

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

## **6.2 Academic Relationships**

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

## **6.3 Free Inquiry, Expression, Peaceable Assembly**

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

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

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

## **6.4 Involvement in Institutional Policy and Procedures**

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

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

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

## **7. INTERPRETING THESE STATUTES**

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

## **8. AMENDING THESE STATUTES**

Amendments to these Statutes may be proposed at any time by any member of the academic community. All proposals originating outside the Statutes Committee shall be submitted in writing to the Chair of that Committee. After due deliberation, the Statutes Committee shall report the proposed amendments and

its recommendations to the General Faculty for initial discussion either on the first but no later than the second regular meeting after the proposed amendments have been received by the Committee. Action on the proposal may not be taken earlier than the next regularly scheduled meeting or a special meeting called for the purpose of voting on the proposed amendments. Such a special meeting shall be held no less than sixty days after the first reading, and it shall be held during the regular academic year. A favorable vote on the part of two-thirds (2/3) of the General Faculty members present shall constitute approval of the proposed amendments.

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

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Source: Statutes approved by the General Faculty: October 9, 2001  
Approved by the Board of Regents: May 10, 2000

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## **BY LAWS**

### **9. BY-LAWS OF THE STATUTES**

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

### **10. THE FACULTY**

#### **10.1 The General Faculty**

##### **10.1.1 Meetings**

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

##### **10.1.2 Procedure**

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

#### **10.2 The General Faculty Assembly**

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

Representatives of a Department of Instruction (a School, Department, or College without departments), a Laboratory or other unit of the Georgia Tech Research Institute, the Libraries, and the Office of the Dean of Students shall be elected 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 for representatives of the aggregate units in the Services and Central Administration (other than the Libraries and the Office of the Dean of Students) shall be supervised by the Executive Board (with nominations by petition admissible). Voting shall be by preferential mail ballot. The procedure for carrying out a preferential mail ballot shall be determined by action of the Executive Board.

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

### **10.2.2 Order of Elections**

Elections shall be held in the second half of the Spring semester for Representatives from Departments of Instruction, colleges without such Departments, Laboratories, and Services and Central Administration, whose terms expire that year. This election shall be held as soon as possible after the election for members of the Executive Board.

Elections shall be held in the middle of the Spring semester for members of the Executive Board whose terms as Representatives of the General Faculty Assembly expire that year.

### **10.2.3 Meetings**

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

### **10.2.4 Procedure**

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

## **10.3 The Academic Faculty**

### **10.3.1 Meetings**

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

### **10.3.2 Procedure**

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

## **10.4 The Academic Senate**

### **10.4.1 Meetings**

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

### **10.4.2 Procedure**

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

## **10.5 The Executive Board**

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

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

## **10.6 The Secretary of the Faculty**

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

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

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

The Secretary shall accept the Nominating Committee reports from the Executive Board and shall request other nominations from the Faculty. In the Spring

semester, the Secretary, under the supervision of the Executive Board, shall conduct the elections of representatives and members of Standing Committees.

## **10.7 Standing Committees**

### **10.7.1 Procedure**

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

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

No members of a Standing Committee shall participate in the consideration of an appeal of their own decision rendered in the performance of other duties. Between meetings of the General Faculty, the Academic Faculty, or their representative bodies any matters requiring emergency action and not delegated to a Standing Committee shall be referred to the Executive Board.

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

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

Standing Committees shall be composed of Faculty, Administrators, and Students. Chairs of Departments of Instruction shall for the purpose of election to committee membership be considered members of the Corps of Instruction and not as administrators, except that they may not be elected to membership on committees charged with considering recommendations or matters which have involved them in their administrative capacity. Similarly, Administrators or General Faculty members in charge of certain administrative functions shall not be eligible to serve in nondesignated positions on Standing Committees that are charged with reviewing or overseeing those functions. Committee membership is by election or specific designation as provided by these Statutes/Bylaws. Elections of representatives of the Faculty and Administration to Standing Committees shall be conducted during the Spring semester by the Secretary of the Faculty. Elections shall be determined by majority vote of the members voting. Elected members of a Standing Committee shall serve a three-year term beginning at the start of the Fall semester and may succeed themselves once. Elected members shall serve on no more than two Standing Committees simultaneously. No elected members of the Executive Board shall serve on a Standing Committee. Faculty members who are members of a Standing Committee (or Committees) may be candidates for the Executive Board; however, if elected, they shall resign from the Standing Committee(s). If a member of a Standing Committee resigns, takes a leave of absence, or undergoes a change of assignment so that he/she no longer qualifies as a member of the unit he/she was elected to represent, the Executive Board shall designate the first runner-up from the most recent election for that position to serve the remainder of the unexpired term. If the first runner-up is unable or unwilling to serve, the position goes to the second runner-up, etc. If the entire slate of nominees for that position is unable or unwilling to serve the Executive Board shall appoint an appropriate replacement to serve the remainder of the unexpired term upon recommendation of the Executive Board's most recent Nominating Committee. When the Chair of a Standing Committee is to be absent from the Institute during an entire semester, the committee shall elect a chair pro tempore for the period of absence.

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

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

Standing Committees charged with judicial activities, either initial hearings or appeals, shall proceed with dispatch to hear the cases and render decisions.



### **10.7.2 Faculty Honors Committee**

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

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

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

### **10.7.3 Student Activities Committee**

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

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

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

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

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

### **10.7.4 Student Honor Committee**

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

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

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

#### **10.7.5 Faculty Status and Grievance Committee**

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

#### **10.7.6 Statutes Committee**

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

#### **10.7.7 Academic Services Committee**

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

#### **10.7.8 Welfare and Security Committee**

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

#### **10.7.9 Undergraduate Curriculum Committee**

The Administration shall be represented by the Administrator in charge of academic affairs, the Dean of Students (without the right to vote) and the Registrar who

shall be the Secretary. The Academic Faculty shall be represented by members elected from the Corps of Instruction who are not Administrators. Each College shall have a representation based on student credit hours added to a representation based on the number of majors; the two representations shall be calculated as follows: the number of undergraduate student credit hours produced in that College during the preceding academic year divided by 50,000 and rounded up, provided that each college has at least one representative; the number of undergraduate majors registered in that College in the Fall term of the present Academic Year divided by 1,500 and rounded up, provided each College has at least one representative. These Faculty representatives shall be elected by the Academic Faculty. The Students shall be represented by one member with at least junior standing elected by the Student Council. College representation shall be based on statistics for the preceding fiscal year. Changes in College representation shall be made when the criterion for such changes has been met for two successive years, except that any individual elected shall have a full term of office regardless of such changes in representation. The Chair shall be elected annually by the Committee from among the elected Academic Faculty members.

#### **10.7.10 Graduate Committee**

The Administration shall be represented by the Administer in charge of graduate studies and by the Registrar who shall be Secretary. The Academic Faculty shall be represented by members elected from the Corps of Instruction who are not Administrators. Each College shall have a number of representatives determined as the number of graduate student majors registered in that College in the Fall of the present Academic Year divided by 250 and rounded up, providing each College has at least one representative. These Faculty representatives shall be elected by the Academic Faculty. The Students shall be represented by one graduate student elected by the Graduate Student Senate. College representation shall be based on statistics for the preceding fiscal year. Changes in College representation shall be made when the criterion for such changes has been met for two successive years, except that any individual elected shall have a full term of office regardless of such changes in representation. The Chair shall be elected annually by the Committee from among the elected Academic Faculty members.

#### **10.7.11 Student Regulations Committee**

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

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

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

#### **10.7.13 Student Grievance and Appeal Committee**

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

#### **10.7.14 Student Computer Ownership Committee**

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

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

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

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

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

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

#### **10.7.15 Committee on Academic Integrity**

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

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

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

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

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

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

#### **10.8 Appointments**

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

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

## **10.9 Duties, Responsibilities, Privileges**

### **10.9.1 Introduction**

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

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

No part of these Statutes/Bylaws may be interpreted as abridging Faculty members' power to exercise their rights as a citizen, free from institutional censorship or discipline, but their position in the community imposes an obligation of care for the interest of the Institute. Public signing of open letters, petitions, political advertisements, etc., should preferably show the person's name only. Any indication of affiliation with the Institute should clearly state that it is for identification only and does not represent an endorsement by the Institute or by other persons in the Institute. Caution is urged on Institute members whose position in the Institute is such that private vs. official views may be difficult to distinguish by the public. A Faculty member whose civic and political activities may require a large allocation of time should consider requesting a full or partial leave of absence.

### **10.9.2 Outside Activities**

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

### **10.9.3 Absence**

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

#### **10.9.4 Leave of Absence**

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

#### **10.9.5 Leave of Absence with Pay**

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

#### **10.9.6 Appeals**

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

### **11. AMENDING THESE BYLAWS**

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

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

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

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## **OTHER KEY FACULTY GOVERNANCE**

### **12. OTHER KEY FACULTY GOVERNANCE POLICIES AND PROCEDURES**

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

### **13. EXECUTIVE BOARD'S GUIDELINES TO GENERAL FACULTY MEMBERSHIP**

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

#### **13.1 Powers**

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

#### **13.2 Statement of Guidelines**

##### **13.2.1 Eligible Positions**

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

- Assistant to the President [See Section [5.1.1](#) of the Statutes]
- Associate Vice President (not just Academic Affairs)
- Associate Registrar [See Section [5.1.1](#)]
- Associate Dean (including student affairs)
- Assistant Dean (including student affairs)

##### **13.2.2 Generally Ineligible Positions**

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

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

Recreation Coordinator

**13.2.3 Other Positions**

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

**13.2.4 Limitations for Part-Time Service**

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

**13.2.5 Retroactive Awards**

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

**13.2.6 Limitations**

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

**13.2.7 Delegated Decisions**

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

### **13.2.8 Cases Affected by Administrative Transfers**

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

## **14. FACULTY STATUS AND GRIEVANCE COMMITTEE PROCEDURES**

### **14.1 Procedures for the Conduct of an Investigation or of an Informal Hearing**

1. A General Faculty member with a grievance should first attempt to resolve the grievance with the help of the responsible administrator at one level above the level of the dispute. If the grievance cannot be resolved in this way, the grievant shall submit to the Chair of the Faculty Status and Grievance Committee (FSGC) a written request for an informal investigation or an informal hearing. 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.

2. The Chair will present this request to the FSGC. If a majority vote of the Committee so authorizes, the Chair will appoint at least two members of the FSGC to conduct the requested investigation or informal hearing. The Chair may serve as one of the members of the subcommittee.
3. An informal investigation is conducted by a two member sub-committee of the FSGC. They will interview the grievant(s), the party(ies) grieved against, and other parties who can be identified as having insights or information bearing upon the case.

An informal hearing is conducted by as many members of the FSGC as can be arranged. In this case, the grievant(s), the party(ies) grieved against, and others are brought together at a hearing so that any charges made by one party can be clarified by the other party without delay.

4. The Chair of the FSGC, in consultation with the grievant as well as the full FSGC, decides which of these two types of investigation is most appropriate. Unless extenuating circumstances dictate otherwise, an informal investigation is the preferred type of investigation. It offers each party a private hearing without direct confrontation.

If the understanding of a grievance would seem to require a meeting of the parties involved before a hearing committee, then a decision to select an informal hearing will be made by the Chair of the FSGC, again in consultation with the grievant and the FSGC.

5. Before the start of an informal investigation or hearing and during its course, the Chair of the FSGC shall inform affected administrators of the proceedings and shall seek their cooperation and assistance.
6. For both an informal investigation and an informal hearing, the FSGC will attempt to achieve a resolution within ninety days, from the time a properly documented written request is received from the grievant until the FSGC makes its report to the President.

The goal of an informal investigation or of an informal hearing is for the subcommittee to bring an even-handed, written statement of the grievance to the FSGC as well as a recommendation for its resolution. This report, which shall contain findings and recommendations, may be revised by the full Committee. The final report shall be approved by the Committee and transmitted by the Chair to all parties to the grievance, to the President, and to other administrators, as appropriate. In the transmittal letter, it should be stated that the recommendations are intended to aid the resolution of the case. The President shall make a final decision on the case and convey that decision in writing to the parties and to the Chair of the FSGC, normally within twenty-one days of receipt of the FSGC recommendations.

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

### **14.2.1 Authorization**

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

#### **14.2.2 Notification**

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

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

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

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

Dismissal hearings for tenured faculty members, or non-tenured faculty members before the end of their contract term, shall be conducted pursuant to procedures established by the Bylaws of the Board of Regents and the Statutes of the Institute. In such proceedings, the FSGC recommends that a five person dismissal hearing committee be chosen from a randomly selected panel of twenty-five, using the procedures established herein, with the Chair elected by the Committee.

#### **14.2.4 Presentation of Cases**

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

#### **14.2.5 Time**

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

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

#### **14.2.6 Who May be Present for Formal Hearings of the FSGC**

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

#### **14.2.7 Order of Presentation**

1. The grievant(s) and respondent(s) will make brief opening statements. Each statement shall lay out the general nature of the case, without presenting evidence.
2. Following the opening statements, the parties will present their cases with the grievant(s) making the first presentation(s). At this time any documents or testimony relevant to the case may be presented.
3. Each party will have the right of cross-examination directly after the presentation of evidence by each witness. Redirect examination will be permitted. No new evidence may be introduced during the cross- or redirect examination.
4. An opportunity for rebuttal will be provided to the grievant.
5. Each party may make a closing statement. This is an opportunity for summary and argument and not for the presentation of new evidence.

#### **14.2.8 Evidence**

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

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

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

#### **14.2.9 Witnesses**

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

#### **14.2.10 Tape Recording**

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

#### **14.2.11 Recommendations to the FSGC**

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

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

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### **15. INTERCOLLEGIATE ATHLETICS GOVERNANCE**

#### **15.1 Purposes**

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

#### **15.2 Key roles in athletics governance**

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

### **15.2.1 Institute Administration**

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

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

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

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

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

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

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



### **15.2.3 Faculty Athletics Representative**

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

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

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

The Faculty Athletics Representative should be responsible, either directly or indirectly, for institutional compliance activities or responsibilities, which involve campus entities outside the athletics department. Such entities include, but are not limited to, the following: (1) Office of Student Financial Planning and Services, (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 Georgia Tech to the NCAA and to the Atlantic Coast Conference of which Georgia Tech is a member.

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

#### **15.2.4 Academic Senate**

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

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

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## **APPOINTMENT, PROMOTION, TENURE, & SALARY**

### **16. APPOINTMENT, PROMOTION, TENURE, SALARY FOR GEORGIA TECH FACULTY**

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

### **17. ACADEMIC QUALIFICATIONS AND FACULTY STATUS**

*Minimum Standards Established by the Board of Regents*

#### **17.1 Qualifications for Faculty Appointments**

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 803.0102](#).*

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

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

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

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

#### **17.2 Criteria for Promotion**

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 803.08](#).*

Minimum expectations in all professorial ranks are:

1. Superior teaching.
2. Outstanding service to the institution.
3. Academic achievement.

#### 4. Professional growth and development.

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

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

### 17.3 Tenure

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 803.09](#).*

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

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

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

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

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

Tenure may be awarded, upon recommendation by the President and approval by the Board of Regents, upon completion of a probationary period of at least five years of full-time service at the rank of assistant professor or higher. The five-year period must be continuous except that a maximum of two years interruption because of a leave of absence or part-time service may be permitted, provided, however that an award of credit for the probationary period of an interruption

shall be at the discretion of the President. In all cases in which a leave of absence, approved by the President, is based on birth or adoption of a child, or serious disability or prolonged illness of the employee or immediate family member, the five-year probationary period may be suspended during the leave of absence. A maximum of three years credit toward the minimum probationary period may be allowed for service in tenure track positions at other institutions or for full-time service at the rank of instructor or lecturer at the same institution. Such credit for prior service shall be defined in writing by the President and approved by the Board of Regents at the time of the initial appointment at the rank of assistant professor or higher. Notwithstanding anything to the contrary in this Policy Manual, in exceptional cases an institution may recommend to the Board of Regents that an outstanding distinguished senior faculty member be awarded tenure upon the faculty member's initial appointment. Each such recommendation shall be considered by the Board individually and shall be granted only in cases in which the faculty member, at a minimum, is appointed as an associate or full professor, was already tenured at his or her prior institution, and brings a demonstrably national reputation to the institution (BR Minutes, 1983-84, p. 94; May, 1996, p. 52; April 2000, pp. 31-32).

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

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

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

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

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

### **17.3.1 Grounds for Removal**

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 803.11](#).*

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 institution or to his/her profession; (BR Minutes, 1989-90, pp. 384-385).
- Conviction or admission of guilt in a court proceeding of any criminal drug offense; (BR Minutes, 1989-90, pp. 384- 385).
- Physical or mental incompetency as determined by law or by a medical board of three or more licensed physicians and reviewed by a committee of the faculty;
- False swearing with respect to official documents filed with the institution;
- Disruption of any teaching, research, administrative, disciplinary, public service or other authorized activity;
- Such other grounds for dismissal as may be specified in the Statutes of the Institute.

Each institution, as a part of its statutes, may supplement Regents' policies governing causes for dismissal and procedures for dismissal. Each institution should provide for standards governing faculty conduct, including sanctions short of dismissal, and procedures for the implementation of such sanctions. In the imposition of sanctions, the burden of proof lies with the institution. (BR Minutes, 1951-52, pp. 315-19, pp. 159-60; 1966-67 p. 206; 1969-70, pp.21-22; 1974-75, pp. 304-13; 1982- 83, p. 254).

## **17.4 Notice of Employment and Resignation**

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 803.06](#).*

### **17.4.1 Tenured**

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

### **17.4.2 Non-tenured**

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

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

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

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

## **17.5 Program Modification**

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 803.0901](#).*

As part of its broad constitutional authority to manage the University System of Georgia, the Board of Regents may exercise its authority to modify programs offered by the System generally or at various institutions of the System. Such modification may be a part of a change of institutional mission and may result in discontinuation of programs or reduction in size thereof. A program modification of such magnitude that requires the termination of tenured faculty members will

be implemented only after completion of a study, with institutional administrative and faculty participation, by the Chancellor's staff. The Chancellor will report the results of that study to the Board along with recommended guidelines under which program modification will be effected. (BR Minutes, 1982-83, p. 254)

### **17.6 Non-tenure Track Personnel**

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 803.10](#).*

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

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

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

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

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

### **17.7 Employment Beyond Retirement**

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 802.0903](#).*

When an individual retires from the University System of Georgia and is receiving benefits from the Teachers Retirement System, the Employees Retirement



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

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

(BR Minutes, April 2002).

### **17.8 Faculty Summer Salaries**

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 803.1403](#).*

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

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Source: Statutes Committee. Date: 2004

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## **18. PROMOTION AND TENURE OF INSTRUCTIONAL FACULTY AT GEORGIA TECH**

### **18.1 Preamble**

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

Promotion and tenure decisions are made separately, and guidelines for evaluation relative to each of these decisions are required. The philosophy underlying the two decisions differs, although the criteria used as a basis for

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

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

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

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

## **18.2 Guidelines for Promotion at Georgia Tech**

### **18.2.1 From Instructor to Assistant Professor**

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

*\*See "Criteria for the Evaluation of Faculty Members as Teachers and Educators," Section [18.4](#).*

*\*\*See "Criteria for the Evaluation of Creative Contributions," Section [18.5](#).*

### **18.2.2 From Assistant to Associate Professor**

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

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

*\*See "Criteria for the Evaluation of Faculty Members as Teachers and Educators," Section [18.4](#).*

*\*\*See "Criteria for the Evaluation of Creative Contributions," Section [18.5](#).*

*\*\*\*See "Criteria for the Evaluation of Service Activities," Section [18.6](#).*

### **18.2.3 From Associate Professor to Professor**

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

6. Broad recognition in terms of visiting professorships, invitations to give papers or seminars, memberships on national committees, offices in professional societies, or other appropriate honors.

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

\*See "Criteria for the Evaluation of Faculty Members as Teachers and Educators," Section [18.4](#).

\*\*See "Criteria for the Evaluation of Creative Contributions," Section [18.5](#).

\*\*\*See "Criteria for the Evaluation of Service Activities," Section [18.6](#).

### **18.3 Guidelines for Tenure at Georgia Tech**

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

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

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

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

\*See *Faculty Handbook*, Section [14](#), for Faculty Status and Grievance Committee policies and procedures related to promotion and tenure.

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

\*See *Faculty Handbook*, Section [14](#), for Faculty Status and Grievance Committee policies and procedures related to performance evaluation and salary determination.

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

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

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

#### **18.4.1 Course and Curriculum Development**

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

#### **18.4.2 Teaching Skills and Methods**

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

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

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

### **18.4.4 Education Activities**

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

## **18.5 Criteria for the Evaluation of Creative Contributions**

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

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

### **18.5.1 Publications**

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

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

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

### **18.5.3 Creative Educational Contributions**

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

### **18.5.4 Artistic Creations**

- Paintings; Sculpture; and Music.

### **18.5.5 External Recognition of Creative Work**

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

## **18.6 Criteria for the Evaluation of Service Activities**

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

### **18.6.1 Professional Education**

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

### **18.6.2 Service to Students**

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

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

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

### **18.6.3 Service to the Academic Community**

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

### **18.6.4 Service to the Institute**

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

### **18.6.5 Availability for Service Activities**

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

### **18.6.6 Service to the Profession**

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

### **18.6.7 Service to the Community**

Community Service involves a wide range of activities directed toward local, state or national groups. Examples of such service include: Lectures; Panel Discussions; Radio and television appearances; Membership on advisory boards



or civic committees; Involvement in community, charitable organizations, or the government; Involvement in youth and citizen recreation programs; and

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

### **18.7 Guidelines for the Presentation of Materials for Evaluation**

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

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

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

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### **18.8 Student Opinion of Courses and Instructors**

To provide instructors with information about student opinions of their teaching and courses, the Institute has developed the Course/Instructor Opinion Survey (CIOS). It consists of items relating to three "clusters": preparation and presentation of the course, interaction with students, and assessment of student performance. Students respond using a five-point rating scale. Provision is also made for written comments from the students.

For each course surveyed, the instructor is provided a confidential, computerized summary report and the answer sheets containing the students' written comments.

Directors and/or department heads receive the responses to the demographic and environmental items, the Institute-core items, and those supplied by the respective departments; however, they receive neither the responses to any additional (up to seven) items instructors may have elected to include, nor the written comments. Students receive the responses to an additional pair of

questions designed for their use in producing the "Course Critique." Unless a professor refuses permission, students also receive the cluster averages and the "overall item" score for inclusion in the Course Critique.

The results of the CIOS serve as one component of an overall assessment system for documenting teaching proficiency. The survey, processed by the Center for the Enhancement of Teaching and Learning under the auspices of the Provost, is administered in each school or college on a systematic basis one semester each year. In addition, any department, school, college, or individual may request to participate in any other semester, and, in fact, most schools do every semester.

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Source: Center for the Enhancement of Teaching and Learning.  
Date: 6/1999

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## **19. PROCEDURES FOR EVALUATION, REAPPOINTMENT, NON-REAPPOINTMENT, TENURE, AND PROMOTION**

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

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

### **19.1 General Evaluation Policies**

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

Evaluation criteria follow those used for promotion, tenure, and salary decisions as set out further in the following Sections [19](#), [20](#), [22](#), and [23](#). In each particular

case, the criteria used will be ones appropriate to the individual's major responsibilities.

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

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Source: Statutes Committee. Date: 2/2004

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## **19.2 Reappointments**

### **19.2.1 Regents' Requirements for Notification**

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

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

### **19.2.2 Georgia Tech Procedures on Reappointment**

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

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

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

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

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

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

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

### ***Critical Reviews***

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

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

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

### **19.2.3 Feedback to Faculty Members**

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

## **19.3 Promotion and Tenure**

### **19.3.1 External Peer Review**

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

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

### **19.3.2 Internal Peer Review**

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

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

### **19.3.3 Expanded Peer Review**

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

### **19.3.4 Candidate's Responsibility**

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

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

### **19.3.5 Format**

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

### **19.3.6 Joint Appointments**

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

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

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

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

Instances may arise where it is desirable for an academic faculty member to be jointly appointed in an academic unit and in a division of GTRI or a Center. Where such an appointment contributes to the development of the faculty member, such arrangements are to be encouraged. The benefit of such an

arrangement normally will be enhancement of the faculty member's research productivity. Decisions of academic units will be based on their own criteria; however, letters of evaluation from appropriate GTRI division head and/or center directors must be included in the documentation of these candidates. Appropriate individuals from GTRI or the Center normally will be included in the unit level (committees appointed to make the initial recommendation).

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

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

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

#### **19.3.9 Provost and Vice President for Academic Affairs**

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

#### **19.3.10 President of the Institute**

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

#### **19.3.11 The Board of Regents**

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

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

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## **20. POLICY ON SALARY DETERMINATION FOR FULL-TIME INSTRUCTIONAL FACULTY**

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

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

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

### **20.1 Entry level Salary**

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

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

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

### **20.2 Merit Increases**

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



### 20.3 Documentation

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

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

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

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

**Creativity:** The number and brief description of research grants applied for and funded; publications in scholarly journals; and presentations at conferences and workshops. The quality of these contributions should be evaluated by recognized leaders in the field.

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

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

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

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

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

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

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

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## **21. ACADEMIC RANK FOR ADMINISTRATORS**

### **21.1 Policy**

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

### **21.2 Procedures**

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

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

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

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

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

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

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## 22. HIRING AND PROMOTION GUIDELINES FOR PROFESSIONAL RESEARCH PERSONNEL

### 22.1 General

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

The four counterpart ranks for instructional and research members of the General Faculty are as indicated below.

<i>Instructional Faculty</i>	<i>Research Faculty</i>
Instructor	Research Scientist I
Assistant Professor	Research Scientist II
Associate Professor	Senior Research Scientist
Professor	Principal Research Scientist

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

### 22.2 Promotion to a Higher Rank

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

#### **Promotion To:**

<b>Research Scientist II -</b>	<b>Three years as Research Scientist I</b>
<b>Senior Research Scientist -</b>	<b>Four years as Research Scientist II</b>
<b>Principal Research Scientist -</b>	<b>Five years as Senior Research Scientist</b>

As used in this document, "years of experience," "years in rank," and "years at Georgia Tech" are to be as of June 30th of the year in which the promotion is being considered. The word "Scientist" is used throughout these guidelines to mean either Engineer, Scientist, Associate, or Technologist.

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

certification is similarly encouraged, e.g., Certified Industrial Developer, Certified Safety Professional, etc.

### **22.3 Research Scientist I**

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

### **22.4 Research Scientist II**

This rank requires a Master's degree and three years' relevant full-time experience after **completion of the degree**, or a Doctor's degree. Qualified candidates who are recommended by the normal administrative process will not be reviewed by a presidential committee. Professional recognition in one's research field will be expected.

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

### **22.5 Senior Research Scientist**

#### **22.5.1 Basic Requirements**

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

#### **22.5.2 Performance Requirements**

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

1. Mastery of a complex and difficult field of specialization as demonstrated through authorship of refereed papers. Note: While emphasis will be given to authorship of journal and symposium papers which have been refereed, recognition will also be given to contributions to other journals, organizational publications, widely distributed reports which effect an education and technology information transfer.
2. Supervision of others' work by virtue of being a project director on sponsored research of such magnitude as to require guidance and supervision of other professionals.
3. Important technical contributions and innovation as documented in formal reports of several projects over a minimum time of four years prior to recommendation for promotion. For candidates holding the Doctoral degree, the last two years of employment prior to employment at Georgia Tech will be considered if adequately documented, and the four-year time in grade requirement be reduced to two years for candidates so qualified.
4. Substantial documented contributions in sponsored program development.
5. Superior ability in representing the School/Center Laboratory/Georgia Tech in service to and dealings with outside organizations.

## **22.6 Principal Research Scientist**

### **22.6.1 Basic Requirements**

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

### **22.6.2 Performance Requirements**

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

1. Clear Evidence that the candidate has demonstrated consistent performance in the making of original and innovative contributions that are nationally recognized for their excellence as documented by external peer review of the candidate's work (see Section 22.6.3 below);
2. Leadership in developing and managing a technical thrust involving related projects. Special consideration to be given to programs involving a broad participation by research and instructional faculty and students;
3. Substantial contributions to Georgia Tech by service to the Institute, the State, to the Nation, or to the candidate's profession;

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

### **22.6.3 Letters of Evaluation**

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

### **22.7 Research Associate Ranks**

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

### **22.8 Research Technologist Ranks**

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

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Source: Office of the Vice President for Research and Dean of Graduate Programs. Date: 9/2003

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## **23. PERIODIC REVIEW POLICY**

### **23.1 Definitions**

#### *Academic Unit*

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

#### *Unit Head –*

Unitary Colleges: The Dean.

Schools: The School Chair.

Programs: The Program Chair.

### **23.2 Purpose**

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

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

The Georgia Institute of Technology recognizes that the granting of tenure for university faculty is an important protection of free inquiry and open intellectual debate. This Periodic Peer Review policy defines a system of periodic peer evaluation of all tenured faculty which is intended to enhance and protect the guarantees of tenure and academic freedom. It is recognized that Periodic Peer Reviews are most appropriately conducted by a committee of faculty peers.

### **23.3 Procedure**

#### **23.3.1 Evaluation Criteria**

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

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

In cases where no such agreement regarding criteria can be reached between the faculty member and unit head, the faculty member may request a hearing

from a committee of the unit. It is the responsibility of the faculty of the unit to specify the composition of such a committee. For example, the unit may choose its promotion and tenure committee, steering or advisory committee, or an ad hoc committee. The decisions of this committee are final.

### **23.3.2 Documentation**

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

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

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

### **23.3.3 Possible Review Outcomes**

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



### **23.3.4 Review Committees**

#### ***Unit-Level Periodic Peer Review Committee***

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

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

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

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

#### ***Unit Level Reviews***

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

#### ***Unit Level Communication of Outcome***

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

### ***Dean's Review***

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

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

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

### ***Institute Oversight***

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

### ***Institute Level Reviews***

The IPPRC will review the workings of the policy based on the college-level assessment of the six deans and on other information it may wish to gather. Based on such reviews, the committee will (i) make recommendations for changes where circumstances warrant immediate remedy, (ii) monitor and make recommendations on faculty development initiatives that flow from cases reviewed in the past year, and (iii) review cases involving contention between

any of the parties involved in the PPR process; for each such case, a written analysis shall be prepared and, if warranted, recommend changes to the process. In all cases, however, the IPPRC cannot change the review decisions (5 or 3) made by the unit-level committees.

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

#### **23.3.5 Follow-up Reviews**

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

### **23.4 Process Closure**

#### **23.4.1 Communication of Outcome**

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

#### **23.4.2 Development Plans**

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

### **23.4.3 Appeals and Grievances**

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

## **24. PROCESS FOR 5-YEAR COMPREHENSIVE REVIEW AND EVALUATION OF DEANS OF ACADEMIC UNITS AT GEORGIA**

### **24.1 Purpose of the Review**

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

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

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

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

### **24.3 Structure of the Review Process**

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

Early in the review process, the Dean should be asked to meet with the review committee and afforded the opportunity to provide a self-assessment. The committee should also seek appropriate input from the unit's school/program

chairs (if any), faculty, staff, students, and other constituencies. The committee should seek to identify areas where the Dean should place added emphasis/attention if he/she were to continue to lead the unit over the next five years.

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

#### **24.4 Person-Specific Evaluation Criteria**

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

#### **24.5 General Performance Criteria to be used in Reviews**

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

- a. Demonstrating evidence of commitment to the highest standards of quality in teaching, scholarship/research, and academic development, with evidence given of the college's actual progress on all three under his/her leadership.
- b. Providing effective management of the internal affairs of the college.
- c. Recruitment and retention of the highest quality administrators, faculty, staff and students.
- d. Managing the college's fiscal affairs.
- e. Developing and maintaining open communications with all constituencies.
- f. Facilitating goal setting by individuals, programs, schools, and by the unit as a whole.
- g. Identifying issues and resolving conflicts affecting the unit.
- h. Developing internal and external resources.

- i. Implementing fair and equitable performance evaluations and salary adjustments.
- j. Establishing a working environment conducive to achieving individual and unit goals, as well as balancing and reconciling diverse interests within the unit.
- k. Building relations with constituencies within and outside Georgia Tech.

#### **24.6 Modifications to Review Timing**

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

#### **24.7 Confidentiality**

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

#### **24.8 Extraordinary Circumstances**

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

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Approved by the Executive Board on June 18 2002.

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### **25. PROCESS FOR 5-YEAR COMPREHENSIVE REVIEW AND EVALUATION OF SCHOOL CHAIRS AT GEORGIA TECH**

#### **25.1 Purpose of the Review**

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

Ultimately, the purpose of such comprehensive reviews is to determine whether the chair should be re-appointed for another term. A second five year appointment has been typical whereas a third five year appointment is unusual.

Nevertheless the reappointment decision will be based on the best interests of the Institute, college, school and individual.

### **25.2 Structure of Review Process**

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

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

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

### **25.3 Person-Specific Evaluation Criteria**

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

#### **25.4 General Performance Criteria to be Used in Reviews**

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

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

#### **25.5 Modifications to Review Timing**

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

#### **25.6 Confidentiality**

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

#### **25.7 Extraordinary Circumstances**

It is recognized that all administrators, including the unit Chairs serve at the will of their immediate supervisors and higher administrators. Nothing in this review process is meant to limit the ability and responsibility of higher administrators to



make changes in leadership positions whenever it is deemed necessary or desirable.

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Approved by the Executive Board 18 June 2002.

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## **26. AWARD OF EMERITUS TITLE**

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

The following procedure will be used to develop recommendations:

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

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

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## **27. PROFESSIONAL ABSENCE AND LEAVE POLICIES**

The various types of leaves are defined in the Board of Regents Policy Manual, [Section 802.08](#) as well as, the Board of Regents Academic Affairs Handbook, [Section 4.05.01](#). The following section discusses leave policies that are unique to Georgia Institute of Technology. However, none of these policies supersede the policies and procedures stated in the [Board of Regents Policy Manual](#) and [Academic Affairs Handbook](#).

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

Occasional absences from campus are necessitated by the professional activities of most faculty members in a Research University, and are consistent with the Duties, Responsibilities, and Privileges of faculty described in the Georgia Tech Faculty Handbook, Section [10.9.2](#). At the same time it is essential that

supervisors be cognizant of absences of faculty from campus and the reason for those absences, and that there be a clear prior approval and administrative oversight process that ensures that Board of Regents and Institute policies are followed. The following procedures and approvals are intended to accomplish these objectives.

### **27.1.1 Procedures**

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

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

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

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

All absences for consulting must be reported monthly.

### **27.1.2 Approvals**

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

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

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

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

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

### **27.2.1 Purpose**

The Georgia Institute of Technology has a critical interest in attracting and retaining a faculty of the highest quality. This interest is enhanced by insuring that faculty are promoted and tenured in ways that are fair and humane. To ensure fairness and equity in administering the system of academic tenure, the Institution must provide consistent conditions and standards while supporting

members in balancing personal and family obligations with professional and scholarly achievement. For these reasons, extensions of the probationary period for tenure of a member are reserved for compelling circumstances which impair the ability of an individual to establish the stature expected of faculty members at Georgia Tech within the normal time frame.

### **27.2.2 Conditions**

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

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

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

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

### **27.2.3 Procedure**

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

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

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

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

to approach their unit heads for information concerning this policy or with individual requests for extension.

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

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

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

See Section [5.8](#) of the Georgia Tech Statutes

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## **RESEARCH**

### **28. RESEARCH**

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

### **29. GEORGIA TECH RESEARCH CORPORATION**

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

- A. Serves as a contracting agency with industry, government, and other sponsors.
- B. Maintains basic reserves to assure operating capital, thus providing stability and a means for long-range planning for the research program.
- C. Assists Georgia Tech by defraying moving expenses for research faculty.
- D. Assists Georgia Tech in attracting research dollars by appropriating funds for facilities and equipment, especially when a research award may be contingent upon Tech's having the facilities or equipment and the means for acquiring them are not otherwise available.
- E. Serves as a fiscal buffer between external agencies and Georgia Tech through such activities as: carrying accounts receivable, assuming responsibility for retroactive provisional overhead adjustments, and absorbing bad debts.
- F. Fulfills functions that otherwise present problems under State or Institutional Procedures. For example:
  - 1. Carries comprehensive third party liability insurance on research operations;
  - 2. May carry extra hazard insurance on research personnel where undue exposure justifies;
  - 3. Issues travel advances and reimburses some business expenses not otherwise reimbursable;

4. Contracts for time purchases of expensive equipment; and
  5. Assumes contingent liability when it is not otherwise negotiable.
- G. Manages the intellectual property that results from research activities at Georgia Tech. GTRC's Office of Technology Licensing serves as the agency for obtaining patents on Georgia Tech inventions and for licensing them to industry or to new companies for development and commercialization. It serves in the same capacity for copyright and other proprietary materials.
- H. Assists Georgia Tech in obtaining or leasing research facilities.

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

### **29.1.1 General**

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

### **29.1.2 Tuition Reimbursement Program**

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

#### ***Eligibility Requirements***

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

### ***Conditions of Participation***

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

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

### ***Procedure***

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

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

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

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

#### **29.1.1 General**

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

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



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

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

## 29.3 Travel Advances for Research-Related Travel

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

- Requests for travel advances are made on the “Request for Travel Advance Form”, which may be found at the GTRC website ([www.gtrc.gatech.edu](http://www.gtrc.gatech.edu)). The request form must be approved prior to preparation and release of travel advance checks by GTRC.
- Requests for travel advances should be submitted to GTRC at least 3 days before departure. Please avoid special “last minute” requests.
- Travel advance checks may be picked up at the GTRC office after 10:00 am on the last working day before departure. A check may be picked up sooner if prior arrangements have been made with GTRC. Travel advance checks will be considered null and void if not picked up before departure.
- Repayment of travel advance funds must be made in full no later than fifteen working days after the traveler’s return to campus or upon reimbursement of travel expenses – which ever comes first. Repayment may be made in cash or personal check payable to Georgia Tech Research Corporation.
- **Reimbursement will be made to the traveler for the full amount of the travel expense submitted on the TES. The traveler is responsible for repaying the travel advance, in-full, to GTRC.**
- Only one travel advance may be outstanding from any individual at any time unless there is a sound, mitigating circumstance (for example, trips spaces less than 15 working days apart).
- Each month, GTRC will provide each School/Laboratory Director with a list of accounts that are significantly past due. If these accounts are not cleared within 10 working days, no

advances will be issued to personnel of that School/Laboratory until the delinquent account is cleared. The individual involved will be issued no further advances for the next 12 months.

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

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### **30.FACILITIES AND ADMINISTRATIVE (INDIRECT) AND MATCHING FUNDS**

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

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

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

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

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

Some sponsored programs may include matching funds (cost sharing) as part of the overall program budget. This may occur either because of the policy of the sponsoring agency or because the principal investigator and his/her school chair and dean concur that the work is of sufficient importance to their institutional goals to warrant investment of general research funds. Normally, few central

administrative funds are available for matching fund commitments. In every case principal investigators should consult with their school chair for approval of matching fund commitments before preparing a proposal. While matching funds play an important role in the Institution's ability to obtain external funds for research, it should be noted that matching funds are included in the base for determining Facilities and Administrative rates. Expenditure of matching funds, therefore, has the effect of lowering the Facilities and Administrative cost recovery in future years.

After a proposal that includes matching funds is complete, it should be sent through the normal proposal routing channels and should include a Sponsored Program/Research Proposal Cost Sharing Approval Form showing the source of the matching funds and the amount required.

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

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### **31. OFFICE OF SPONSORED PROGRAMS (OSP)**

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

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

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

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

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

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

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

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

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

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

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

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

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## **32. RESEARCH ADVISORY COUNCIL**

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

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Source: Office of the Vice Provost for Research and Graduate Studies.

Date: 5/1

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## **33. GENERAL AND INDIRECT RESEARCH**

### **33.1 General Research**

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

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

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

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

### **33.2 Indirect Research**

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

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

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

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## **34. RESEARCH COMPLIANCE**

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

### **34.1 Institutional Animal Care and Use Committee**

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

### **34.2 Institutional Biosafety and Biohazards Board**

The *Institutional Biosafety and Biohazards Board* (IBBB) is responsible for reviewing all applications for research, teaching, and training that involve the use of recombinant DNA, select agents, pathogenic organisms other than select agents, etiological agents, and certain human samples at Georgia Tech and ensuring that the proposed activities comply with the federal regulations

governing them. The role of the committee is to ensure the safety of personnel working with these materials and that laboratory practices conform to federal and state regulations. Recombinant DNA being considered in this context are those molecules which are constructed outside living cells or which result from the replication of constructed DNA within living cells.

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

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

### **34.3 Institutional Review Board**

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

### **34.4 Nuclear Safeguards Committee**

The *Nuclear Safeguards Committee* is responsible for maintaining the health and safety standards associated with the use of radioactive materials on the Georgia

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

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

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## **35. POLICY ON SCHOLARLY MISCONDUCT**

### **35.1 Introduction**

#### **35.1.1 General Policy**

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

#### **35.1.2 Scope**

This policy and the associated procedures apply to all individuals at Georgia Tech engaged in research or other scholarly activity regardless of the source of funding for the activity including but not limited to funding or proposed funding from federal sources (see References 1 and 2). This policy applies to any person paid by, under the control of, or affiliated with the institution, such as scientists, trainees, technicians and other staff members, students, fellows, guest researchers, or collaborators with or at Georgia Tech. The policy and associated procedures will normally be followed when an allegation of possible misconduct in science is received by an institutional official. Particular circumstances in an individual case may dictate variation from the normal procedure deemed in the best interests of Georgia Tech and the U.S. Public Health Service (PHS). Any change from normal procedures also must ensure fair treatment to the subject of the inquiry or investigation. Any significant variation should be approved in advance by the Provost of Georgia Tech.

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

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



## 35.2 Procedures

### 35.2 Definitions

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

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

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

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

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

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

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

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

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

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

*Research record* means any data, document, computer file, computer diskette, or any other written or non-written account or object that reasonably may be expected to provide evidence or information regarding the proposed, conducted, or reported research that constitutes the subject of an allegation of scientific misconduct. A research record includes, but is not limited to, grant or contract applications, whether funded or unfunded; grant or contract progress and other reports; laboratory notebooks; notes; correspondence; videos; photographs; X-ray film; slides; biological materials; computer files and printouts; manuscripts

and publications; equipment use logs; laboratory procurement records; animal facility records; human and animal subject protocols; consent forms; medical charts; and patient research files.

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

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

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

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

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

### **35.3 Rights & Responsibilities**

#### **35.3.1 Provost**

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

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

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

The Provost will report to any sponsor as required by law, regulation, or contractual agreement and keep the sponsor apprised of any developments during the course of the inquiry or investigation that may affect current or

potential funding for the individual(s) under investigation or that the sponsor needs to know to ensure appropriate use of sponsor funds and otherwise protect the public interest.

### **35.3.2 Complainant**

The complainant will have an opportunity to testify before the inquiry and investigation committees, to review portions of the inquiry and investigation reports pertinent to his/her allegations or testimony, to be informed of the results of the inquiry and investigation, and to be protected from retaliation. Also, if the Provost has determined that the complainant may be able to provide pertinent information on any portions of the draft report, these portions will be given to the complainant for comment. The complainant is responsible for making allegations in good faith, maintaining confidentiality, and cooperating with an inquiry or investigation.

### **35.3.3 Respondent**

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

### **35.3.4 President**

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

## **35.4 General Policies & Principles**

### **35.4.1 Responsibility to Report Misconduct**

All employees or individuals associated with Georgia Tech shall report observed, suspected, or apparent misconduct in science to the Provost or Vice Provost for Research. If an individual is unsure whether a suspected incident falls within the definition of scientific or other scholarly misconduct, he or she may call the Chief Legal Advisor at (404) 894-4812 to discuss the suspected misconduct informally. If the circumstances described by the individual do not meet the definition of

Scientific or Other Scholarly Misconduct, the Provost will refer the individual or allegation to other offices or officials with responsibility for resolving the problem. Compliance concerns in the Georgia Tech Research Institute may also be reported via the hotline at (404) 385-0311. At any time, an employee may have confidential discussions and consultations about concerns of possible misconduct with the Provost and will be counseled about appropriate procedures for reporting allegations.

#### **35.4.2 Protecting the Complainant**

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

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

#### **35.4.3 Protecting the Respondent**

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

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

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

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

### **35.4.5 Conducting the Inquiry**

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

## **35.5 Conducting the Inquiry**

### **35.5.1 responsibility to report misconduct**

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

### **35.5.2 Sequestration of the Research and Other Records**

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

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

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

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

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

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

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

#### **35.5.5 Inquiry Process**

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

### **35.6 The Inquiry Report**

#### **35.6.1 Elements of the Inquiry Report**

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

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

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

### **Confidentiality**

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

### **Receipt of Comments**

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

### **35.6.3 Inquiry Decision and Notification**

#### **Decision by President**

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

#### **Notification**

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

### **35.6.4 Time Limit for Completing the Inquiry Report**

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

## **35.7 Conducting the Investigation**

### **35.7.1 Purpose of the Investigation**

The purpose of the investigation is to explore in detail the allegations, to examine the evidence in depth, and to determine specifically whether misconduct has been committed, by whom, and to what extent. The investigation will also determine whether there are additional instances of possible misconduct that would justify broadening the scope beyond the initial allegations. This is

particularly important where the alleged misconduct involves clinical trials or potential harm to human subjects or the general public or if it affects research that forms the basis for public policy, clinical practice, or public health practice. The findings of the investigation will be set forth in an investigation report.

### **35.7.2 Sequestration of the Research Records**

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

### **35.7.3 Appointment of the Investigation Committee**

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

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

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

#### ***Charge to the Committee***

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



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

### ***The First Meeting***

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

### **35.7.5 Investigation Process**

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

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

## **35.8 The Investigation Report**

### **35.8.1 Elements of the Investigation Report**

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

### **35.8.2 Comments on the Draft Report**

#### ***Respondent***

The Provost will provide the respondent with a copy of the draft investigation report for comment and rebuttal. The respondent will be allowed 10 business days to review and comment on the draft report. The respondent's comments will

be attached to the final report. The findings of the final report should take into account the respondent's comments in addition to all the other evidence.

### ***Complainant***

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

### ***Chief Legal Advisor***

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

### ***Confidentiality***

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

## **35.8.3 Transmittal of the Final Investigation Report**

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

## **35.8.4 Institutional Review and Decision**

The President will review the final report and recommendations of the Investigation Committee. Based on a preponderance of the evidence, the President will make the final determination whether to accept the investigation report, its findings, and the recommended institutional actions. The President will make the final decision regarding any institutional actions or the imposition of any sanctions. There is no further appeal within Georgia Tech of any sanctions imposed as a result of a finding of scientific or other scholarly misconduct.

If the President's determination varies from that of the investigation committee, the President will explain in detail the basis for rendering a decision different from that of the investigation committee in a letter to the Provost which shall become part of the investigation file. This shall also be included in Georgia Tech's letter transmitting the report to appropriate sponsor including ORI if PHS funding or a proposal for such funding is involved. The President's explanation should be consistent with the definition of scientific or other scholarly misconduct (Section 35.2 of this policy) and the evidence reviewed and analyzed by the investigation committee. The President may also return the report to the investigation committee with a request for further fact-finding or analysis. The President's

determination, together with the investigation committee's report, constitutes the final investigation report for purposes of review as may be required by law or sponsor regulations.

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

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

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

#### **35.9 Requirements for Reporting to Sponsors**

In the event that an allegation of scientific or other scholarly misconduct involves grants, contracts or cooperative agreements or proposals or applications for funding submitted to a Federal or other sponsor, the Provost's decision to initiate an investigation must be reported in writing to that sponsor if required by state or Federal laws or the sponsor's regulations or by contractual agreement (see Reference 7). At a minimum, notification, when required, should include the name of the person(s) against whom the allegations have been made, the general nature of the allegation as it relates to the definition of scientific and other scholarly misconduct, and the applications or grant number(s) involved. In accordance with the applicable regulations, Georgia Tech may also be required to notify the sponsor of the final outcome of the investigation and provide a copy of the investigation report. Any significant variations from the provisions of the institutional policies and procedures should be explained in any reports submitted to a sponsor.

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

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

will submit it and, if the request is granted, the Provost will file periodic progress reports as requested by the ORI.

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

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

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

### **35.10 Institutional Administrative actions**

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

### **35.11 Policy on Scholarly Misconduct**

#### **35.11.1 Termination of Institutional Employment, Resignation, or Withdrawal from the Institution Prior to Completing Inquiry or Investigation**

The termination of the respondent's institutional employment or enrollment, by resignation or otherwise, before or after an allegation of possible scientific or other scholarly misconduct has been reported, will not preclude or terminate the misconduct procedures. If the respondent, without admitting to the misconduct, elects to resign his or her position prior to the initiation of an inquiry, but after an allegation has been reported, or during an inquiry or investigation, the inquiry or

investigation will proceed. If the respondent refuses to participate in the process after resignation, the committee will use its best efforts to reach a conclusion concerning the allegations, noting in its report the respondent's failure to cooperate and its effect on the committee's review of all the evidence.

#### **35.11.2 Restoration of the Respondent's Reputation**

If Georgia Tech finds no misconduct, after completing any required consultation with a sponsor and after consulting with the respondent, the Provost will undertake reasonable efforts to restore the respondent's reputation. Depending on the particular circumstances, the Provost should consider notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in forums in which the allegation of scientific or other scholarly misconduct was previously publicized, or expunging all reference to the scientific or other scholarly misconduct allegation from the respondent's personnel file. Any institutional actions to restore the respondent's reputation must first be approved by the President.

#### **35.11.3 Protection of the Complainant and Others**

Regardless of whether the institution or ORI determines that scientific or other scholarly misconduct occurred, the Provost will undertake reasonable efforts to protect complainants who made allegations of scientific or other scholarly misconduct in good faith and others who cooperate in good faith with inquiries and investigations of such allegations. Upon completion of an investigation, the President will determine, after consulting with the complainant, what steps, if any, are needed to restore the position or reputation of the complainant. The Provost is responsible for implementing any steps the President approves. The Provost will also take appropriate steps during the inquiry and investigation to prevent any retaliation against the complainant.

#### **35.11.4 Allegations Not Made in Good Faith**

If relevant, the President will determine whether the complainant's allegations of scientific or other scholarly misconduct were made in good faith. If an allegation was not made in good faith, the President will determine whether any administrative action should be taken against the complainant.

#### **35.11.5 Interim Administrative Actions**

Institutional officials will take interim administrative actions, as appropriate, to protect Federal funds and ensure that the purposes of the Federal financial assistance are carried out.

### **35.12 Record Retention**

After completion of a case and all ensuing related actions, the Chief Legal Advisor will prepare a complete file, including the records of any inquiry or investigation and copies of all documents and other materials furnished to the Provost or committees. The Office of Legal Affairs will keep the file for three years after completion of the case to permit later assessment of the case. As

required by law or regulation, sponsor personnel, including ORI or other authorized DHHS personnel in cases involving PHS support, will be given access to the records upon request.

### **35.13 References**

1. The PHS regulation at 42 C.F.R. Part 50, Subpart A applies to any research, research-training or research-related grant or cooperative agreement with PHS.
2. The DOD Federal Acquisition Regulations (DFARS) lay out minimum requirements of a system of management controls to promote integrity and honesty in the contractor's business conduct. These are found at SUBPART 203.70--CONTRACTOR STANDARDS OF CONDUCT.
3. <http://www.catalog.gatech.edu/>
4. The Georgia Institute of Technology Policy on Conflict of Interest, Consulting, and Disclosure may be found in Section [38](#) of the Faculty Handbook.
5. See Section [35.11.2](#)
6. In the event PHS funding or applications for PHS funding are involved, the Provost and Chief Legal Advisor may consult with ORI for advice and assistance regarding the sequestration of research records.
7. In the event the alleged scientific or other scholarly misconduct involves PHS funding or proposals or applications submitted for PHS funding, Georgia Tech's decision to initiate or terminate an investigation must be reported in writing to the Director, ORI, on or before the date the investigation begins.
8. When the case involves PHS support, Georgia Tech cannot accept an admission of scientific misconduct as a basis for closing a case or not undertaking an investigation without prior approval from ORI.
9. In this instance, the institution must inform ORI within 24 hours of obtaining that information if PHS funding is involved.

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Source: Associate Vice Provost for Research Date: 4/22/2005

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## **GENERAL INSTITUTE POLICIES**

### **36. GENERAL INSTITUTE POLICY**

Sections [37](#) -- [53](#) of the Faculty Handbook describe programs and policies instituted by the administration or by responsible units for the good of the Institute. The content of each section is determined by the appropriate authority and is included in the Handbook with the consent of the faculty.

### **37. AFFIRMATIVE ACTION, EQUAL EMPLOYMENT OPPORTUNITY, CONFLICT RESOLUTION, SEXUAL HARASSMENT POLICY**

#### **37.1 Statement of the President**

Reaffirmation of Equal Employment Opportunity and Affirmative Action Policies

"It continues to be the policy of the Georgia Institute of Technology, including the Georgia Tech Research Institute, to implement affirmatively equal opportunity for all employees, students, veterans, and applicants for employment or admission without regard to race, creed, color, sex, national origin, age, handicap, or veteran status. Affirmative action shall be taken to ensure fulfillment of this policy including but not limited to the following actions:

- Recruiting, enrollment, and educational practice;
- Hiring, placement, upgrading, transfer, or promotion;
- Treatment during employment;
- Recruitment, advertising for employment;
- Rates of pay or other forms of compensation;
- Selection for training;
- Protection from sexual harassment;
- Layoff or termination; and,
- Fringe benefits.

The policy of this Institute is consistent with the requirements and objectives of Executive Order 11246, 11701, and Title IX. It is our objective to enroll and provide equal educational opportunity for all qualified students and to hire, without discrimination, individuals qualified and/or trainable for positions in terms of job-related standards of education, training, experience, or personal qualifications.

In conformance with the provisions of the Rehabilitation Act of 1974 and the applicable regulations of Sections 503 and 504, the Georgia Institute of Technology does not discriminate against any employee or applicant for employment or against any student or applicant for admission because of a physical or mental handicap in regard to any position for which the employee or student is qualified.

For all employees, applicants for employment, and students with physical and mental limitations, the Georgia Institute of Technology will provide reasonable accommodations.

Responsibility for ensuring compliance and continued implementation of this policy rests with the Director for Affirmative Action (telephone (404) 894-3249). Periodic reviews will be made to measure progress against these stated objectives as well as to consider their revision or updating.

This policy has my unequivocal support, and I request all members of the staff, faculty, and student body to join with me in order to ensure that nondiscriminatory practices are followed on our campus."

### **37.2 General Statement on Affirmative Action/Equal Employment Opportunity**

The President's letter on Equal Opportunity is made available to the various offices on campus, and copies are on file in the Affirmative Action office and the Office of Human Resources.

The Affirmative Action Plan has been developed in compliance with the *Statutes* and rules of the Board of Regents of the University System of Georgia and the Georgia Institute of Technology and Federal Executive Order 11246, as amended.

In addition, the plan has been revised to include the requirements of the Equal Pay Act of 1963; the Civil Rights Act of 1964; the Age Discrimination Act of 1967; the Rehabilitation Act of 1973, Sections 503 and 504; the Vietnam-Era Readjustment Assistance Act of 1974; the Age Discrimination Act of 1974; the Americans with Disabilities Act of 1990; and the Civil Rights Act of 1991. The plan follows the suggested "Format for Development of an Affirmative Action Plan by Institutions of Higher Education," developed by the United States Department of Labor and issued by the Office for Civil Rights in August, 1975.

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

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### **37.3 Procedures for Handling Potential Conflict Situations between Administrators, Faculty, and**

#### **37.3.1 Student Complaints Other Than Sexual Harassment against a Faculty Member**

##### ***Policy***

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

##### ***Applicable Procedure***

Students' complaints should be made in writing to the appropriate administrator such as School Director, Department Head or Provost and Vice President for Academic Affairs. However, in the case of an oral complaint, the administrator should make written notes about the nature of the complaint. Appropriate measures shall be taken to safeguard the student from retaliatory action.



The administrator *promptly* shall discuss the complaint with the faculty member to determine if it has merit. If the complaint is determined to have merit, it may be made a part of the personnel file of the faculty member only after discussion with the faculty member. However, the faculty member shall be given the opportunity to make his or her own written comments/rebuttal to the complaint. Such written comments by the faculty member shall be attached to the administrator's report in the personnel file.

*Note:* Accumulation of complaints without discussing them with the appropriate faculty member in order to use them as justification for lack of promotion or lack of salary improvement at a later time, is not permissible.

If the complaint is determined to have merit, then a plan of action to correct the cause of the complaint shall be worked out jointly between the administrator and the faculty member. Check points for a review of the situation are to be established at that time. A record of these actions shall be maintained in the personnel file of the faculty member.

If the faculty member is not satisfied with the plan of action proposed for the resolution of the student complaint, the faculty member may present the grievance to the Faculty Status and Grievance Committee.

If the student is not satisfied with the proposed plan of action jointly worked out between the administrator and the faculty member, the student may go to the next higher administrative level for review. (Assistance regarding procedures may be obtained from the Vice President for Student Affairs.)

### **37.3.2 Performance Evaluation/Salary Decisions**

#### ***Policy***

Annual performance evaluations are required by the Board of Regents. Such evaluations should improve the contribution of each member of the faculty to the multiple missions of the department, College, Institute, and Regents as appropriate.

#### ***Applicable Procedure***

The criteria by which performance will be evaluated are stated in the *Policy Manual of the Board of Regents* and the *Faculty Handbook* (Section [16](#) *et seq.*). These criteria include scholarship, teaching, and service. Further refinement on specific cases may be in order, but must be communicated in writing to the faculty at the *beginning* of the academic or fiscal year or be in a standing unit publication. All of these publications must be specifically brought to the attention of faculty members. Particular care must be exerted to make sure that new faculty are alerted to these publications.

The faculty member should be asked to prepare a report which documents in writing his/her contributions in all of the areas defined as relevant to achieving the defined missions of the unit. The emphasis should be not only on activity, but also on results.

The administrator of the unit should review all of the available materials on the performance of the subject faculty member and prepare a written evaluation of the faculty member's performance for the year to be presented to the faculty member for review at the time of a performance evaluation conference between the faculty member and the administrator. After the faculty member has reviewed the administrator's evaluation, he/she must sign the evaluation acknowledging receipt but not necessarily agreement. Where the faculty member does not agree with this evaluation, he/she may prepare a detailed written response. The faculty member shall be informed of the unit administrator's written response to this new information. All documents whether generated by the administrator or the faculty member shall become part of the individual faculty member's file.

In the event that agreement between the administrator and the faculty member cannot be reached, the matter will be reviewed at the next higher administrative level, and the results communicated to the administrator and the faculty member.

At the time of the evaluation, or in a subsequent conference, the administrator and faculty member should discuss performance goals for the upcoming evaluation period. These should be summarized in writing by the faculty member with a copy to the administrator for review, acceptance, and filing.

The salary decision should be given to the individual faculty member preferably face-to-face but at a separate time following the performance review. It should follow logically from the performance review.\*

\*See *Faculty Handbook* (Section [16](#) *et seq.*) for general Institute policy on salary determination for instructional faculty.

### **37.3.3 Promotion and Tenure -- Explanation of Rights\***

#### ***Policy***

Promotion is a reward for performance in accordance with Board of Regents and Institute standards that have been published and distributed to all member of the General Faculty. Accordingly administrators are responsible for insuring that faculty members in their units are fully informed as to these standards and the rights defined therein.

#### ***Applicable Procedure***

The administrator of each unit should discuss with each faculty member his or her status with respect to promotion and tenure e.g., progress as to years in rank completed as compared to promotion/tenure requirements, areas where is strong, and areas where improved performance is expected in accordance with the promotion/tenure standards for the department, College, Institute, and Regents as appropriate.

Where a faculty member has adequate years in rank to be considered for promotion/tenure, the faculty member should be advised of the right to request consideration for promotion and tenure.

\*\*See *Faculty Handbook* (Section [16](#) *et seq.*) for general Institute policies and guidelines for promotion and tenure of instructional faculty.

#### **37.3.4 Summer Teaching\*\***

##### ***Policy***

Summer teaching assignments should be made in such a way as to meet the program needs of the department, to insure high quality of instruction, and within these constraints to allocate equitably the opportunities for summer income.

##### ***Applicable Procedure***

Any details concerning the implementation of this policy by an academic unit should be stated explicitly and should be made available in writing to each faculty member at the beginning of each academic year or appear in a standing unit publication.

As long as this general policy is applied, additional considerations may be taken into account with the general approval of the unit.

\*\*See *Faculty Handbook* (Section [16](#) *et seq.*) for Regents' policy on faculty summer salaries.

#### **37.3.5 Sanctions and Allocation of Support Services**

Support services are provided to enhance the teaching, research, and service programs of the department. Accordingly these services may not be denied to a faculty member as a sanction.

#### **37.3.6 General Policy for Conflict Situations**

Concerns and complaints should normally be addressed first to the appropriate administrator and wherever possible resolved within the administrative process.

In situations where a faculty member desires confidential advice on the handling of a complaint, seeks advice on procedures and policies or feels uncomfortable in bringing a concern directly to an administrator, then they are encouraged to discuss the situation with the Faculty Ombuds.

The Ombuds Office is a confidential resource for all faculty on the campus. Its role is that of a neutral that advocates not for a specific individual, but for equity, fair process, and compliance with institutional policy and procedure. It acts as a complaint receiver for persons who believe they have been treated unfairly, coaches to help persons independently resolve difficult situations and as facilitators or mediators in an effort to assist persons in conflict to reach fair resolutions. The Ombuds Office is a confidential, informal, impartial, neutral and non adversarial alternative for the resolution of work-related problems and concerns. A request for assistance from the Ombuds Office does not preclude the faculty member from subsequently utilizing the Georgia Tech grievance process. The Ombuds Office is not an office of notice to the University. The Faculty Ombuds Office strives to follow the standards of the University and College Ombuds Association. The Faculty who staff this Office report to the President.

The Faculty Status and Grievance Committee receives from any General Faculty member information, suggestions, grievance, or criticisms concerning any aspect of the Institute. It evaluates these and transmits constructive criticism and recommendations to appropriate individuals or committees or directly to the General Faculty. The procedures of this committee are governed by the Statutes of the Institution (See Sections [5.6.3](#), [10.7.5](#), and [14](#) of this Handbook).

On occasion an administrator or faculty member may feel the need for a witness to be present for the discussion of a sensitive matter. These occasions should be very rare, because the presence of witnesses may heighten tension and may indicate a lack of faith in a colleague. However, in those rare cases in which a witness is deemed necessary, there should be prior notification so the other person may also bring a witness, if he or she chooses. Alternatively, the meeting may be taped, with advance knowledge of the other party.

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Source: Faculty Ombuds Program. Date: 10/2004

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## **37.4 Sexual Harassment Policy and Procedure**

### **37.4.1 Statement of Policy**

It is the policy of this Institute that no member of its community, including faculty, staff, or students, should be subjected to sexual harassment by another. This policy and procedure is intended to create an atmosphere in which individuals who believe that they are the victims of harassment are assured that their complaints will be dealt with fairly and effectively. Toward this end, the Georgia Institute of Technology supports the principle that sexual harassment represents a failure in ethical behavior and that sexual exploitation of professional relationships will not be condoned.

Sexual harassment is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing; or (2) submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual; or (3) such conduct has the effect of unreasonably interfering with an individual's work or academic performance or creates an intimidating, hostile or offensive working or academic environment. Either men or women may be the initiators or victims of sexual harassment.

### **37.4.2 Applicable Procedures**

Bringing a Complaint:

1. Any member of the Institute community who believes that he or she has been the victim of sexual harassment as defined above (the Complaint) should promptly report the matter to the Appropriate Institute Official designated to handle such complaints.

2. The Appropriate Institute Official to whom a complaint should be made is the Director of Employee Relations for faculty and staff, and the Dean of Students for students.
3. The initial discussion between the Complainant and the Appropriate Institute Official will be kept confidential to the greatest extent possible and dissemination of any information relating to the case will be limited, in order that the privacy of all individuals involved is safeguarded as fully as possible. The Institute will take steps to protect the Complainant from retaliatory action based upon the filing of the Complaint. The foregoing notwithstanding, the Appropriate Institute Official will inquire into all reports of alleged sexual harassment brought to his or her attention.
4. During the initial meeting with the Appropriate Institute Official, a written summary of the complaint will be made and should be signed by the Complainant.
5. The Appropriate Institute Official will inform the alleged offender ("Respondent") of the allegation and of the identity of the Complainant, will provide him or her with a written summary of the Complaint and will proceed as set forth in the following section.

#### **37.4.3 Resolution of a Complaint**

1. When a Complaint is submitted, the Appropriate Institute Official will discuss the matter with the parties promptly, will notify the appropriate Dean or Vice President of the charge, and will initiate whatever steps he or she deems appropriate to effect an informal resolution of the complaint acceptable to both parties. If an informal resolution is reached, it will be documented in writing, approved by the Office of Legal Affairs, and signed by the Complainant, the Respondent, and the Appropriate Institute Official.
2. If an informal resolution satisfactory to the Parties is not reached within 15 calendar days after an incident is reported, or if in the opinion of the Appropriate Institute Official, an informal resolution is not possible, the Appropriate Institute Official will proceed with a full investigation. The investigation may include interviewing witnesses identified by the parties and such other inquiries as the Appropriate Institute Official may deem necessary. A report of the investigation results along with a recommendation with regard to a resolution of the Complaint and/or disciplinary action will be made to the Associate Vice President for the Office of Human Resources or the Vice President for Student Affairs as appropriate, within 30 calendar days of the date the investigation was initiated.
3. The Associate Vice President for Human Resources or the Vice President for Student Affairs will review the results of the investigation and take or recommend appropriate disciplinary and/or other action. Individuals subject to disciplinary action may exercise their appeal rights pursuant to

the procedures set forth in the Faculty Manual, the Classified Employee's Handbook, or the Student Conduct Code as appropriate.

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Source: Office of the President. Date: 7/1997

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## **38. CONFLICT OF INTEREST, CONSULTING, AND DISCLOSURE**

### **38.1 Introduction**

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 Georgia Institute of Technology employee, and
- To define and establish a mechanism to address situations and relationships that may pose real or potential conflicts of interest such that the integrity of research, education, or business transactions of the Institute may be questioned unless such conflicts are reduced, eliminated or managed.

### **38.2 Definitions**

Definitions as used in this policy, the term:

1. "Agency" means any agency, authority, department, board, bureau, commission, committee, office, or instrumentality of the State of Georgia.
2. "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, trust or other legal entity.
3. "Conflict of Interest" means any situation in which (i) 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 (ii) 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 institution. 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 Georgia Institute of Technology for sponsored activities.
4. "Conflict of Interest Committee" shall mean an advisory committee to the Provost that shall be composed of the Chief Legal Counsel, the Associate Vice Provost for Research, a representative for the student body and a

member of the general faculty appointed by the Executive Committee of the Faculty Senate. In absence of a standing Committee the Provost shall appoint an ad hoc committee as dictated by the circumstance.

5. "Consulting" means any professional activity related to the person's field or discipline, 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.
6. "Employee" means any person who, pursuant to a written or oral contract, is employed by an agency.
7. "Family" means spouse and dependents.
8. "Full-time" means 30 hours or more of work for the state per week for more than 26 weeks per calendar year.
9. "Investigator" means the principal investigator, co-principal investigators, and any other person at the institution who is responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding by a sponsor.
10. "Part-time" means any amount of work other than full-time work.
11. "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 expand public funds and to perform certain functions concerning the public which are assigned to him or her by law.
12. "Responsible Representative of the Institution" means: School Chair or Laboratory Director for faculty; Dean or Vice President for School Chair or Laboratory Director; Provost for Vice Provost, Dean or Vice President for GTRI; President for Provost and other direct reports; Appropriate Vice President, Dean, Department, Chair or Director for staff, or Vice Provost for Distance learning and Professional Education when employees are involved in the organization or operation of non-institute continuing education programs.
13. "Significant Financial Interest", as defined in current Federal Regulations, include anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, trademarks, copyrights and royalties from such rights). The term does not include: salary, royalties or other remuneration from the institution, or income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities; income from service on advisory committees or review panels for public or nonprofit entities; or an equity interest that, when aggregated for the investigator and the investigator's spouse and dependent children, meets both of the following tests: does not exceed \$10,000 in value as determined through reference to public prices or other reasonable

measures of fair market value, and does not represent more than 5% ownership in any single entity, or salary, royalties or other payments that, when aggregated for the investigator and the investigator's institute employer and the institute employee's spouse and dependent children, are not expected to exceed \$10,000 during the next twelve-month period.

14. "Substantial interest" is defined in Georgia Law as "the direct or indirect ownership of more than 25 percent of the assets or stock of any business." [Official Code of Georgia 45-10-20] Pursuant to Georgia Law an Employee 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. Federal guidelines provide that interests of more than 5% (or \$10,000 in value) must be managed or eliminated, therefore caps of 24.9% are placed on the percentage of ownership an Employee may have in any business which Transacts Business with the Institute. Ownership interests below this cap may be managed as provided in this policy.
15. "Transact Business" or "Transact any Business" means to sell or lease any personal property, real property, or services on behalf of oneself or on behalf of any third party as an agent, broker, dealer, or representative and means to purchase surplus real or personal property on behalf of oneself or on behalf of any third party as an agent, broker, dealer, or representative.

### **38.3 Conflict of Interests**

State law governing ethics and conflict 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 the institute that serve the educational and public purposes in teaching, research, professional and service and have an obligation to conduct their research and official duties on behalf of the University in such a manner consistent with statutes and regulations. The avoidance of conflict of interest is vital to ensuring the integrity/objectivity in conducting or reporting of research. The Georgia Institute of Technology has adopted the following policy which establishes guidelines for permissible outside activities, and provides for disclosure, regulation and management of conflicts arising there from, and does not unduly inhibit the employee's participation in such activities. Potential conflicts of interest may arise as a result of an Employee's participation in external corporate ventures and/or consulting relating to areas such as, sponsored research, licensing university technology, clinical studies involving human subjects, mentoring students, and use of university facilities. The policy discusses situations that may pose a real or potential Conflict of Interest for university employees that may be managed, and provides a discussion of prohibited activity that would constitute an impermissible Conflict of Interest.



### **38.3.1 Categories of Conflicts**

- (a) Individual Conflicts – a Conflict of Interest may arise 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, from the existence or expectation of entering into a consulting arrangement with a company sponsoring research.
- (b) Conflict of Commitment – 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 start up company.
- (c) Institutional Conflicts – occur when the Institute, or one of its affiliated entities such as Georgia Tech 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.

### **38.3.2 Entrepreneurship**

The mission of Georgia Institute of Technology 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. Georgia Institute of Technology recognizes that Employee participation in bringing their inventions and other results of research conducted at the Institute into public use through commercialization plays an important role in this mission. Such participation may involve creation of a new company, in which an Employee or Employees have an ownership interest, to license and commercialize such technology. The policies and procedures for licensing technology are set forth in the Intellectual Property Policy (Faculty Handbook Section [50](#)). New companies may or may not be housed in the Advanced Technology Development Center. Companies in which employees have such an interest may Transact Business with the Institute only after such transaction(s) are/has been reviewed by the Responsible Representative and the Conflict of Interest Committee, as set forth below, and found not to pose a Conflict of Interest or if the transactions are conducted under a written conflict of interest management plan as described in Section [38.4.6](#).

### **38.3.3 Prohibited Activities**

Activities which constitute Conflicts of Interest where an employee has a Substantial Interest are unlawful. Activities which constitute a Conflicts 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 and/or pursuant to the provisions of this policy.

It shall be unlawful for any Full-time Employee, for himself or herself, or on behalf of any Business, or for any Business in which such employee or member of his or her family has a Substantial Interest to Transact Business with the agency by which such employee is employed; provided, however, that neither this section nor any other provision of law shall prevent Full-time employees of the Board of Regents of the University System of Georgia from serving 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, 45-10-24]

Except as expressly permitted by law, it shall be unlawful for any Part-time employee, for himself or herself, or on behalf of any Business, or for any Business in which such employee or member of his or her family has a Substantial Interest to transact any business with the agency by which such employee is employed. [Official Code of Georgia 45-10-24]

In the event an activity poses a Conflict of Interest due to the Significant Financial Interest of an employee, the Responsible Representative of the Institution in consultation with the Conflict of Interest Committee, shall determine what restrictions, if any, should be imposed by the Institution to manage, reduce or eliminate such conflict of interest prior to the Institution's expenditure of any such funds pursuant to the procedure provided for in Section [38.4.6](#).

## **38.4 Disclosure of Real or Potential Conflicts of Interest**

### **38.4.1 Disclosure to the State of Georgia**

Except as provided in subsection (b) of the Official Code of Georgia Annotated Section 45-10-26, any Public Official or Employee whether for himself or herself, or on behalf of any Business, or any Business in which such Public Official or Employee or any member of his family has a Substantial Interest who transacts business with the state or any agency thereof shall disclose such transactions. Such disclosure shall be submitted prior to January 31 each year to the Secretary of State on such forms as he or she shall prescribe and shall include an itemized list of the previous year's transactions with the dollar amount of each transaction reported and totaled. Such disclosure statements shall be public records.

### **38.4.2 Disclosure to the Institution**

Every Employee who participates in outside professional activities or sponsored research where a potential conflict exists shall file a completed "Georgia Institute of Technology Report on Outside Professional Activity and Potential Conflict of Interest Form", commonly known as a "Request Form", at least annually on July

1st of each year to the Responsible Representative of the institution. The Request Form shall be updated by the Employee if the facts reported in the form change. The Request Form shall be used to disclose any conflict of interest which arises during the course of the employee's employment to a Responsible Representative of the institution and should contain sufficient detail to permit an accurate and objective evaluation of the circumstances. Full disclosure of circumstances surrounding a real or apparent conflict should be made prior to making the commitment or initiating the activity which poses the possible conflict. Employees have an obligation to cooperate in the review and management of a actual/potential conflict.

Faculty are permitted to receive royalties on textbooks used in their courses provided the financial interest of the faculty member has been disclosed and approved by their unit.

### **38.4.3 Disclosure to Sponsors**

Investigators shall, prior to making a proposal to a sponsor, disclose to a Responsible Representative of the Institution, via the Request Form, any and all Significant or Substantial Financial interests of the Employee (including those of the investigator's spouse and dependent children) that would reasonably appear to affect the design, conduct, or reporting of the activity where conduct includes but is not limited to performance or business transactions related to the sponsored activity and where reporting means any part of technical or financial reporting. In addition, every Investigator shall report actual or potential conflicts of interest on the Proposal Routing Sheet that must be submitted to the Office of Sponsored Programs prior to submission of the proposal to the sponsor. Each such financial disclosure shall be updated by the Employee during the pendency of any award, as new reportable Significant Financial interests are obtained.

Every Investigator shall sign the following certification in any Request Form submitted to the Responsible Representative of the Institution:

"I certify that I have read and understood the Institute's conflict of interest policy; to the best of my knowledge, all required financial disclosures were made; and 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, the Georgia Tech Research Corporation and/or the Georgia Tech Applied Research Corporation shall be responsible for certifying that the Institution 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, and that to the best of his/her 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 institution's expenditure of any funds under the award, in accordance with the institution's conflict of interest policy.

#### **38.4.4 Disclosure to the Institutional Review Board**

Investigators submitting protocols to the Institutional Review Board (IRB) for the use of human subjects in research or other activities shall disclose any and all real or potential conflicts of interest 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, the Investigators' spouse or dependents might have. The IRB shall conduct an independent review and may or may not impose restrictions, including denial of approval for the protocol, as it deems is in the best interest of the subjects and the Institute.

#### **38.4.5 Disclosure to Students**

Every investigator shall, prior to retaining students on research projects that may involve actual or potential Conflict of Interest, shall disclose to a Responsible Representative of the Institution and to the student, the Investigator's interests in outside companies that may be perceived to benefit from the student's research.

#### **38.4.6 Review of Financial Disclosures and Resolution of Conflicts of Interest**

The Responsible Representative of the institution to whom a financial disclosure or report of a conflict of interest is made shall review the disclosure and shall make a determination whether a conflict of interest exists. Should a conflict of interest exist, the Responsible Representative of the Institution in consultation with the Conflict of Interest Committee, shall determine what restrictions, if any, should be imposed by the Institution to manage, reduce or eliminate such conflict of interest prior to the Institution's expenditure of any such funds pursuant to the procedure provided for below.

Restrictions and/or conflict management plans shall be in writing and forwarded to the designated official who will monitor the plan. The initial review by the Committee (or Responsible Representative if applicable) will consider the relationships between the Employee and the Institute to ensure adequate conditions or restrictions are in place which may manage, reduce or eliminate conflicts of interest such conditions may include, without limitation: public disclosure of significant financial interests; monitoring of research by independent reviewers; modification of the research plan; disqualification from participation in the portion of the sponsor funded research that would be affected by the Significant or Substantial Financial Interests; or divestiture of Significant or Substantial Financial Interests; or severance of relationships that create actual or potential conflicts.

Upon recommendation by a Responsible Representative of the institution, the Conflict of Interest Committee may determine that imposing conditions or restrictions would be either ineffective and that the potential negative impacts that may arise from a Significant or Substantial Financial Interest are outweighed by interests of scientific progress, technology transfer, or the public health and

welfare. In such cases, the Responsible Representative and the Conflict of Interest Committee may recommend to the Provost that the institution allow research to go forward without imposing such conditions or restrictions provided, however, that there is ongoing review by the Responsible Representative and the Conflict of Interest 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 Institution is unable to satisfactorily manage a conflict of interest prior to the Institution's expenditure of any such funds, that Representative shall immediately notify the Office of Sponsored Programs who shall inform the sponsor.

All determinations made or actions taken by a Responsible Representative of the Institution and/or the Conflict of Interest Committee shall be in writing and shall, 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. A copy of such written record shall be forwarded to the Office of Sponsored Programs 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 Office of Sponsored Programs shall forward this information to the sponsor in compliance with regulation.

Written management plans must be reviewed annually or upon a change in circumstances affecting the plan and appropriate disclosures should continue during the ongoing management of any Conflict.

## **38.5 Consulting**

### **38.5.1 Principles and General Standards**

The Institute recognizes that consulting is a benefit to the institution and the General Faculty. By gaining experience working closely with companies Faculty are aware of new technical directions and innovations, therefore the Institute encourages and permits its Faculty to consult. The practice of consulting calls for the Faculty to enter the non-academic world as a professional, usually as a teaching 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 covered by the policies found in the Institute's Employee handbook.

Consulting is encouraged, provided the faculty member's primary obligation to the Institute is met. The responsibility for adhering to the limit on consulting days, and other aspects of the Institute's consulting policy, lies first with the individual faculty member. Faculty members have an obligation to report, fully and currently, the level of their consulting activities. Faculty members should resolve any questions or ambiguities with the appropriate Institute official before the fact, so that the Institute community is not injured by their actions. The Institute has the right, and indeed, the obligation, to protect itself from losses due to excess consulting.

### **38.5.2 Conflict of Commitment**

The purpose of the policy on consulting and related activities is to state with both clarity and generality the limits on the time that a Georgia Tech Faculty may spend in consulting. The limits set forth below are intended to strike a balance between consulting and regular duties within the Institute and serve to safeguard the interest of both parties. In cases of ambiguity, the primary guide should be the intention to promote the interests of the Institute as a place of education, learning and research. It is the Faculty's obligation to obtain prior consent from the appropriate Institute officer.

### **38.5.3 Prior Approval**

Georgia Tech 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 or her School Chair or Laboratory Director, Dean, or Director of GTRI, and the appropriate Institute officer before undertaking any activities. Written consent must be obtained by completing and obtaining authorization on a "Georgia Institute of Technology Report on Outside Professional Activity and Potential Conflict of Interest" form.

### **38.5.4 Distance Learning and Continuing Education**

In the case of a Faculty 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 Vice Provost for Distance Learning and Professional Education as indicated on the Request Form.

### **38.5.5 Use of Georgia Institute of Technology Facilities**

In competing for consulting, Employees are not to take advantage of their access to Georgia Tech facilities. State law precludes Georgia Tech employees from using State facilities or property for personal gain or benefit. The facilities and services of the Institute may not be used in connection with compensated outside work, except in a purely incidental way. This is not envisioned to exclude contracts with the Institute for the use of facilities or services such as the Computer Center or the Library or other facilities for which cost centers have been established.

### **38.5.6 Payment for Consulting**

Full-time Georgia Tech employees may not be on the payroll of other organizations except as a consultant. (Payment for services must be reported on an IRS 1099 Form, not on a W-2 form.)

Members of the faculty may, for tax liability reasons, undertake consulting assignments through a personal corporation. This is not considered a conflict of interest in and of itself. However, see the "Prohibited Activities" subsection.

### **38.5.7 Activities Not Considered "Consulting"**

(a) **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.

(b) **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.

(c) **"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 Georgia Tech has been fulfilled and prior approval from a responsible representative of the Institute.

### **38.5.8 Consulting Agreements**

Consulting agreements are personal agreements between Employees and a private company. Georgia Tech 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 Georgia Tech or GTRC nor in conflict with any Georgia Tech policy, including but not limited to this Conflict of Interest Policy and the Intellectual Property policy. Most companies require a consultant to sign a consulting agreement. Any Georgia Tech employee who is asked to sign such an agreement should consult with his or her personal attorney for review and advice. Any consultant agreement, as a minimum, should state that the consultant is an employee of Georgia Tech and, as such, has commitments, responsibilities and obligations (contractual or otherwise) that must be fulfilled and not negatively impacted by a consulting agreement terms/conditions or actual consulting.

To avoid conflict with Georgia Tech-assigned duties, following language is recommended as part of your consulting agreement:

"This agreement is made subject to the understanding that Consultant is an Employee of the Georgia Institute of Technology (GIT), that he/she must fulfill certain obligations including teaching, directing laboratory operations and conducting research; and that as a result of his/her employment by GIT, GIT has certain rights to intellectual property developed by him/her and any rights conveyed hereunder shall be subject to those rights. Under no circumstances are any rights to GIT or Georgia Tech Research Corporation intellectual property conveyed hereunder. All consulting activity hereunder shall be on a non-interfering basis with normal GIT activities. Nothing contained in this Agreement shall directly or impliedly affect the obligations listed above."

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

The maximum number of consulting days permitted for a member of the General Faculty without hourly time keeping on a 12 month or 9 month appointment is one day per week. Institute holidays are included in each thirty-nine (39) week academic year from which the thirty-nine (39) day consultation limit is derived. A limited amount of "averaging" of consulting time is permissible if, on occasion, a faculty member plans to consult for more than one day per week but no more than thirty-nine days for an academic year. Thirty-nine (39) days of consulting per academic year, or fifty-two (52) days for a calendar year of active duty, is intended to be a liberal allocation, yet one that is fair to the Institute. Members of the General Faculty whose time and effort is accounted for through hourly timekeeping may engage in consulting only outside their normal working hours or while on leave from the Institute.

#### **(a) Consulting During Periods of Part-time Institute Employment**

The thirty-nine (39) day limit should be prorated for those members of the General Faculty holding part-time appointments, using the following formula:  $[39 \times F]$ , 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.

(b) **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.

(c) **Consulting While on Study Leave**

The purpose of study leave is to permit faculty members to take time off from normal Institute duties to advance their scholarly interests so that they may return to their posts with renewed vigor, perspective, and insight. A faculty member on study leave receiving full-time Institute salary may consult up to the regular one day per week during the period of sabbatical.

**38.5.10 Consulting Services for Other State Offices**

As a general rule employees of the Institute may not receive compensation for services performed for other state offices (Georgia Code Section 45-10-20). Employees of one State agency may teach or work as consultants for another state agency provided they fall within one of the following classifications and provided they meet the conditions stated below.

Employees of one state agency may teach or work as consultants for another state agency if the transaction involves part-time employment by the state agency seeking consulting services of a chaplain, fireman, any person holding a doctorate or master's degree from an accredited college or university, a licensed physician, dentist, psychologist, registered nurse or a licensed practical nurse, or veterinarian.

The chief executive officer of the department or agency desiring to obtain the services of a person falling within the class of exceptions shall certify in writing the need for the services and shall set forth why the best interest of the state will be served by obtaining the part-time services of such a person in lieu of obtaining such services from a person not presently employed by the State.

The chief executive officer of the department or agency employing the person in the class of exceptions shall certify in writing that the person whose services are desired is available to perform such services, that the performances of such services will not detract nor have a detrimental effect on the performance of the person's employment, and, where appropriate, that the part-time employment of this person will be in the best interest of the State.

The two departments or agencies involved will then agree on the procedures under which the employee shall perform the additional services. The agreement shall specify the means of employment, whether as a part-time employee or as a consultant, the compensation, and other pertinent details and conditions of the employment relationship. The agreement may be terminated at any time by either of the parties to the agreement.

### **38.6 Penalties**

Any Employee who violates this policy shall be subject to disciplinary action up to and including dismissal.

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. [Official Code of Georgia Section 45-10-28]

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Source: Office of the President. Date: 5/2003

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### **38.7 Institutional Conflicts**

Institutional Conflicts – occur when the Institute has a financial stake in the outcome of its research programs or licensed technology. The Conflict may arise out of an equity interest in a start-up that licenses technology from the Institute or in the nature of royalties to be earned from licensing such technology. For example, the Institute may benefit from GTRC's equity in licensees, equity is often taken in lieu of royalties or other license fees, this may create institutional conflicts for several reasons:

Owners of equity may cash out prior to product going to market this creates a situation under which GTRC may have an enhanced position relative to other shareholders.

The equity interest could have substantial value if the technology is successfully commercialized, creating a more apparent conflict.

GTRC 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 GTRC 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 Committee.

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Source: Executive Board. Date: 10/2004

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### **39. PUBLIC SERVICE PROGRAMS – DISTANCE LEARNING AND PROFESSIONAL EDUCATION (DLPE)**

DLPE is a service and marketing organization that enables Georgia Tech's faculty to deliver their world-class educational programs (non-credit, distance-delivered MS programs, as well as undergraduate and graduate courses to GTL and GTREP) to students on the Georgia Tech campus, in the Southeast, the nation and the world. DLPE is housed in the Global Learning Center which includes more than 32,000 square feet of meeting space, three 75-seat amphitheatres, one 125-seat amphitheater, one 250-seat amphitheater, seven computer labs, four executive conference rooms, one video conferencing room, and ten meeting rooms. The facility has wireless technology throughout, enhanced stationary break areas and a beautifully landscaped courtyard that is available for business and social events.

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#### **39.1 Distance Learning**

The Center for Distance Learning (CDL) provides a way for working professionals to enroll in Georgia Tech courses that can be applied toward a master's degree in Electrical and Computer Engineering, Environmental Engineering, Industrial and Systems Engineering and Mechanical Engineering, 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. The Georgia Tech Center for Distance Learning provides credit and non-credit courses at a distance via videotapes, satellite delivery, teleconferencing, the Internet, the Georgia Statewide Academic and Medical System (GSAMS) and other statewide networks, CD-ROM, and DVD, and microwave transmission.

Center for Distance Learning 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. CDL services may also be utilized for other Georgia Tech courses

offered at a distance. CDL provides various levels of production support depending on the needs of the academic unit.

### **39.1.1 Distribution of Revenue**

Tuition charged for Georgia Tech master's-level courses offered at a distance is approved by the Georgia Board of Regents and is the same for all participants, regardless of residency status. A percentage, as determined by the Provost, of the tuition received for a distance learning course is transferred to the academic department of the faculty member offering the course. The unit may utilize these funds as desired, but is encouraged to allow the faculty member teaching the course to utilize the funds in recognition of the extra work required to serve the distance learning students. The remainder of the tuition remains with the Center for Distance Learning to cover the costs for delivering the course and for student support provided by CDL.

Revenue distribution for other multimedia courses offered at a distance that are not commercially licensed shall be determined in advance of the course offering and should be commensurate with the amount of work provided and the risk taken by each entity involved. Courses that are commercially licensed are subject to GIT Intellectual Property policies.

### **39.2 Professional Education**

The Department of Distance Learning and Professional Education assists faculty/administrators with planning, marketing, accounting, facilitating of professional education programs and in meeting state requirements for tracking participation in professional education programs. Assistance is provided with both open enrollment and contract programs, offered on campus and at remote sites. Advance approval must be obtained for all continuing education programs using the Professional Education Program Proposal Routing Sheet.

In light of the faculty's priority commitment to high quality educational programs at GIT, faculty participation in the creation and delivery of short courses sponsored by organizations outside of GIT will only be permitted with the prior written consent of the faculty member's School Chair or Laboratory Director and the Vice-Provost of Distance Learning and Professional Education.

Examples of non-Georgia Tech short course involvements for which approval might be given include, but are not necessarily limited to:

Teaching one-half day or less in a short course offered by another university.

Teaching in a short course run by a professional society that is a part of a series with a long history.

The Department of Distance Learning and Professional Education'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 established schedules 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 the Department of Distance Learning and Professional Education.

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 the Department of Distance Learning and Professional Education to enable Georgia Tech to report CEUs to the Board of Regents whenever possible and appropriate.

### **39.2.1 Extra Compensation**

Extra compensation may be paid to a Georgia Tech faculty member/administrator only if the official form is submitted through the Department of Distance Learning and Professional Education 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.

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).

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

Instructional faculty members are encouraged to cite and document participation in Department of Distance Learning and Professional Education programs to support their representations of teaching, creativity, or service activities when being reviewed for reappointment, promotion, and tenure. If included under the category of teaching, instructor evaluations from program attendees are to be included in the documentation.

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Source: Executive Board, Academic Services Committee, and Director of Distance Learning and Professional Education. Date 4/2003

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## **39.3 International Education**

Georgia Tech offers programs and provides services and resources to support a variety of international activities including support for the international teaching and research activities of the faculty, study abroad, hosting international students and scholars, and the fostering of internationally-themed events on campus. The Office of International Education (OIE) is dedicated to supporting faculty efforts to facilitate international education at Georgia Tech in five key areas:

1. Faculty Development. First and foremost, we are a resource for faculty development in the international arena including information about

- international scholarships and fellowships for overseas study/sabbaticals as well as for international programming, opportunities and possible support for short international study trips, facilitation of the establishment of linkages with colleagues in universities overseas, assistance with international travel to participate in international conferences and symposia, and assistance with the development of, and funding for, international symposia and/or conferences that might be held here on our campus.
2. Assistance to faculty in the development of study abroad programs for undergraduate and graduate students
  3. Assistance with all aspects of bringing international students or scholars to study and/or conduct research in faculty labs.
  4. Support for, and assistance in the planning of, efforts to internationalize Georgia Tech including revisions to the curriculum to offer more international/global courses or to add international content to existing courses; to develop, and solicit funding for, international programs and collaborative international research projects. In addition, we would welcome opportunities to assist with international/cultural activities on our campus that would enhance the integration of, and appreciation for, the diverse cultures represented on our campus.
  5. The Office of International Education serves as a resource for possible sources of external funding to support projects in any of the above areas.

Further information is available at the OIE website: <http://www.oie.gatech.edu> or by contacting us – Office of International Education, Savant Building, Suite 211; (404) 894-7475; [info@oie.gatech.edu](mailto:info@oie.gatech.edu).

#### **40. POLICY REGARDING SOFTWARE PIRACY**

Georgia Tech is both a major licensee and also a licensor of computer software. As a consumer, we use thousands of software products ranging from off-the-shelf microcomputer packages to mainframe operating systems and applications costing thousands of dollars. As a producer, we license to others several products which bring in significant annual revenues, part of which is returned to authoring faculty members through a generous compensation system.

Virtually all of these software products are licensed to the user under the copyright laws of the United States. The unauthorized duplication, operation on machines other than for which licensed, or other "piracy," is a violation of Federal law, and may expose the individual and the Institute to legal processes. Commercial software vendors are becoming increasingly aggressive in enforcing their rights under the copyright laws.

It is the policy of Georgia Tech that the copyright laws will be obeyed in all instances. The practice of illegally using or copying software will not be condoned, officially or unofficially, by any Georgia Tech official, and is not to be

indulged in by any member of the Georgia Tech community. Those in positions of authority are expected to discourage software piracy in the strongest terms. No institutional support can be expected nor provided to those who violate such software licenses.

Cost may not be used as an excuse. Departments and Schools should ensure that funds are made available to purchase legally the software necessary to perform required functions. We expect those who license software from us to pay for value received; we expect that they will follow the letter of the law and compensate us for their use of our products. We can ask no less of ourselves as users.

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Source: Vice President for Research and Graduate Programs.  
Date: 8/1996

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## **41. TRADEMARK MANAGEMENT**

### **41.1 Introduction**

The use of Georgia Tech's name, graphic symbols, and logos (known collectively as the "marks" of the Institute) is governed by the Office of Institute Communications and Public Affairs (ICPA).

The policies and programs described herein do not represent the trademark programs of other corporations affiliated with Georgia Institute of Technology, such as the Georgia Tech Alumni Association, Georgia Tech Research Corporation, Georgia Tech Athletic Association, or others. If there is any question about whether some name or symbol connected with Georgia Tech might be registered or copyrighted by any of these agencies, inquiries should be made through both the U.S. Patent and Copyright Office and Georgia Tech's Office of Institute Communications and Public Affairs.

### **41.2 Authority**

The marks of the Georgia Institute of Technology are properties of the University System of Georgia. The University System has authorized the Georgia Tech Foundation, Inc. to register these marks and manage their applications on behalf of Georgia Tech and the University System. This authority includes the licensing of commercial and promotional uses of the marks and collection of royalties for the benefit of Georgia Tech. The authority also covers control of any other uses of the marks, such as in fund-raising programs, in names of business enterprises, and in advertising and promotional programs of various businesses and organizations.

Georgia Tech's Trademark Management Program is operated by the Office of Institute Communications and Public Affairs on behalf of the Georgia Tech Foundation.

### **41.3 Purpose of the Program**

Georgia Tech's marks are used to identify the Institute and its various programs, services, documents, publications, and products. The main purpose of the Trademark Management Program is to ensure that the marks are used appropriately, in good taste, and with quality reproduction. Likewise, the program seeks to avoid misrepresentations of the Institute to the public.

Georgia Tech's marks should not be used in ways that imply the Institute's endorsement of commercial products or services, or endorsement of causes or organizations not a part of the Institute. Further guidelines for the use of each mark, including standard colors, may be obtained on request from the Office of Institute Communications and Public Affairs.

Another objective of the program is to collect royalties on commercial /promotional applications of the marks, so that Georgia Tech shares in the revenues of enterprises that use Tech's marks. This objective is achieved through a licensing program that governs commercial/promotional applications.

### **41.4 Internal Use of Marks**

All organizational units of the Institute are encouraged to use the officially registered marks for identification and decoration purposes on stationery, business cards, reports, signs, flags, uniforms, and other materials. For such customary applications no approval is required. Student groups also are encouraged to use the Institute marks, but should obtain permission in advance from ICPA. Camera-ready graphics are available through the Office of Institute Communications and Public Affairs.

Any intended use for the following purposes must be approved in advanced by the Office of ICPA:

- Fund raising;
- Selling products or services;
- Alterations to the logos; or
- Promoting political ideologies or candidates.

For example, faculty and staff members who engage in consulting work should not use the Georgia Tech name or other marks in ways that would imply that their services or business ventures are officially connected with or endorsed by Georgia Tech, unless the specific use has been approved in advance. Products displaying Georgia Tech marks should not be marketed without prior approval. Approval of such uses of Tech's marks will normally involve a licensing agreement.

For more information on Trademark policies visit [www.gatech.edu/icpa/licensing](http://www.gatech.edu/icpa/licensing).

### **41.5 Uses by Entities Outside Georgia Tech**

Any individual, organization, agency, or company not a part of the Institute that wishes to use a registered Institute mark must apply in advance for permission



and, in most cases, must obtain a licensing agreement from the Office of Institute Communications and Public Affairs or from its licensing agent.

#### **41.6 Use of Funds**

The net revenues to the Georgia Tech Foundation from the Trademark Management Program are used for undergraduate scholarships and student development. These funds are administered by the Georgia Tech Licensing Committee and are allocated for scholarships, internships, and awards on an annual basis.

#### **41.7 Illustration of Marks**

The accompanying list and referenced illustrations display only the marks covered under the Trademark Management Program as of the date of publishing this Handbook or referenced web sites. Other marks may be added after that date.

##### **41.7.1 Federally Registered Names**

- Georgia Institute of Technology;
- Georgia Tech;
- Tech (state registration only);
- Yellow Jackets;
- Ramblin' Wreck;
- The Whistle;
- The Technique;
- The Blueprint;
- GTEL (Georgia Tech Electronic Library); and
- Buzz.

##### **41.7.2 Federally Registered Marks**

Please visit [http://www.gatech.edu/icpa/licensing/logo\\_sheets.html](http://www.gatech.edu/icpa/licensing/logo_sheets.html).

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Source: Institute Communications and Public Affairs. Date: 8/2003

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## **42. CORPORATE LIAISON PROGRAM**

The Corporate Liaison Program, established in 1981, is Georgia Tech's mechanism for managing and supporting intensive interaction with companies interested in Tech's research, students, and faculty. The program helps structure a special relationship by bringing the company's personnel into direct and frequent contact with Georgia Tech's personnel. Through such contact, information about research programs and new developments is exchanged; the needs of business are made clear to the faculty and students, and the corporation's image is projected and enhanced on campus in the areas of greatest interest to the participating company.

Participation in the Corporate Liaison Program is effected through a membership contribution of not less than \$20,000 *per annum* to the Georgia Tech Foundation, Inc., a tax-exempt 501(c)3 organization. The membership fees are partially allocated to faculty and staff members and their component organizations participating in the Corporate Liaison Program. For additional information, contact the CLP Office at (404) 894-7488.

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Source: Vice President for External Affairs. Date: 8/1996

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### **43. SOLICITATION, ACCEPTANCE, AND PROCESSING OF GIFTS**

Support from private sources is becoming increasingly important to the continuation of the quality instruction, research and service functions that are a trademark of the Georgia Institute of Technology. The Office of External Affairs is eager to promote and assist in the successful solicitation of the private sector.

All Deans, School Directors, Department Heads, faculty, and staff initiating attempts to obtain gifts or private, non-contractual grants should coordinate their efforts with the Office of External Affairs, through the Office of Constituency Research. Such coordination should begin *before making formal contact* with a new funding source and continue on a regular basis for those individuals and organizations that provided support previously.

Prior to the formal submission of written proposals to private funding sources, (i.e., individual, private foundations, corporations, or corporate foundations) the Transmittal Form for Private Gift Proposals should be approved through the appropriate administrative channels.

The Vice President for External Affairs is also the Georgia Tech official authorized to accept all gifts made in support of the Institute, its parts, and those affiliated organizations that raise funds in Georgia Tech's name. This authority includes gifts of equipment and other property as well as cash and securities. Such acceptance of most gifts offered will be routine; however, gifts which may obligate the Institute beyond the approved budget or program of a College, School, or Department should be discussed in advance with the Vice President for External Affairs.

All gifts to Georgia Tech will be acknowledged by the Vice President for External Affairs or his designee. Other acknowledgments are strongly encouraged. Copies of acknowledgments will be distributed to the proper offices.

It has been the policy to encourage donors to make all gifts for academic purposes to the Georgia Tech Foundation, Inc., rather than to the Institute proper. Anyone soliciting support for the programs at the Institute should request that the donation be made to Georgia Tech Foundation, Inc. rather than to the Institute.

All checks or securities intended as donations to Georgia Tech and payable to Georgia Tech Foundation, Inc. should be forwarded with the original letter of transmittal promptly to the Office of External Affairs--Gift Receipts. All checks or

securities payable to the Institute should be forwarded to the Bursar's office for further handling. Contributions intended for the Foundation but made payable to the Institute or one of its units may be transferred to the Foundation on receipt of written documentation of the donor's intent.

Exceptions to the policy of making all gifts to the Georgia Tech Foundation, Inc., include donations of: (a) instructional and research equipment; and (b) books and other library materials. Donors should make these gifts directly to the Institute. The Vice President for External Affairs (Gift Receipts) should receive all documents regarding gifts of equipment, including the original letter of transmittal, as well as tax forms and other documents requiring signatures. The Vice President for External Affairs and the Dean and Director of Libraries should receive all documents regarding gifts of books and other library materials.

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Source: Vice President for External Affairs. Date: 8/1996

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#### **44. TRAVEL REGULATIONS**

Travel Regulations can be found in the Georgia Tech Administrative Policies and Procedures Manual under Business and Finance, Section 6.0 Travel via <http://www.admin-fin.gatech.edu/business/>.

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Source: Office of Planning, Business, and Finance. Date: 8/2003

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#### **45. DISRUPTIVE BEHAVIOR**

The following is the policy of the Board of Regents regarding disruptive behavior in any institution of the University System. Any student, faculty member, administrator, or employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, or public service activity, or any other activity authorized to be discharged or held on any campus of the University System is considered by the Board to have committed an act of gross irresponsibility and shall be subject to disciplinary procedures, possibly resulting in dismissal or termination of employment.

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Source: (BR Minutes, 1968-69, pp. 166-168; 1970-71, p. 98)  
\*\**The Policy Manual of the Board of Regents*, [Section 1902](#).

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## 46. EDUCATIONAL GUIDELINES AND EVALUATION

### 46.1 Academic Program Review

*\*\*The Policy Manual of the Board of Regents, February 2004, [Section 205.01](#).*

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, and service as appropriate to the Institute's 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 all undergraduate academic programs shall be no longer than seven years and for all graduate programs no longer than ten years. Programs accredited by external entities may substitute an external review for institutional program review, provided the external review meets University System and institutional requirements for 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 plans to the Senior Vice Chancellor for Academic and Fiscal Affairs for the conduct of a complete cycle of program review, who may require changes in the plan, providing adequate time for the change to be implemented. 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 submit an annual program review report to the Senior Vice Chancellor for Academics and Fiscal Affairs, which 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 Senior Vice Chancellor for Academics and Fiscal Affairs shall monitor annually a small number of performance indicators for academic programs and shall initiate dialogue with the Provost of the Institute when programs do not meet the guidelines defined by the indicators. If further investigation justifies additional study, the Institute may be asked to conduct an off-cycle review of such programs.

#### **46.1.1 Annual Assessment Updates**

To support the Institute's commitment to academic program assessment, all degree programs send in a summary of their student assessment activities, findings, and subsequent actions via annual assessment updates. These are maintained and archived by the Office of Assessment for use throughout the Institute.

#### **46.1.2 Program Review Organization**

Each year the Executive Board identifies units and programs that are due for review and asks them to initiate their processes. Each review will consist of a departmental self evaluation and an external evaluation. All written results are then conveyed to the Undergraduate and Graduate Curriculum Committees to perform an evaluation and make recommendations to the Executive Board and to the academic faculty, in accordance with Sections [5.6.7](#) and [5.6.8](#).

### **46.2 Teaching Evaluation and Support**

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

All faculty (whether permanent or temporary, full-time or part-time) are regularly evaluated for their teaching effectiveness, in a manner consistent with Section 19. Support is provided for professional development in teaching through each college and through the Institute's Center for the Enhancement of Teaching and Learning (CETL). CETL provides services in classroom evaluation, faculty teaching development seminars, retreats, and fellowships, as well as recognition through a number of awards. The center also provides new faculty with an orientation to teaching at the Institute.

#### **46.2.1 Graduate Student Teaching Evaluation and Support**

Each college or unit that assigns a graduate student to teach a class, recitation section, or laboratory section as the instructor of record shall ensure and maintain documentation that this individual holds a master's degree in the discipline of the course or has received 18 graduate-level semester hours of credit in the discipline of the course. Said graduate student shall be directly supervised by a faculty member experienced in the discipline of the course.

In accordance with Regents' policies ([803.07](#)) 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.

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Source: Statutes Committee. Date: 2/2004

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### **46.3 Examinations and Quizzes**

In all courses students should receive some performance evaluation prior to the end of the 5th week of the term.

The following policy applies only to Standard Terms. Quizzes and tests may not be given during the week preceding final exams. No final exam will be given earlier than final exam week under any circumstances. All quizzes and tests must be graded and returned on or before the last day of class preceding final exam week.

Each regularly scheduled lecture course of the Institute shall have a final examination which is to be administered at the time specified in the official final examination schedule as distributed by the Office of the Registrar.

A change in the period for a final examination for an individual student will not be permitted, ordinarily; but such change may be allowed for hardship cases at the discretion of the instructor. The request for a change must be justified in writing by the student and should be submitted to the instructor prior to final examination week.

Requests to change a class examination time must be submitted to the chief academic officer of the department of instruction for approval or disapproval no later than one week before the beginning of final examinations. Any such request must have unanimous approval of the class as shown by secret ballot, as well as approval by the instructor of the class.

In courses such as seminars and laboratories not lending themselves to final examinations, the decision to give or not to give a final quiz should be made by the person in charge of the course. An announcement of policy should be made to the class at its first meeting.

In the event a student has two examinations scheduled for the same period, the conflict shall be resolved by the course having the lowest number being considered in conflict. The final examination in that course shall be given during the conflict examination period or, by agreement of the instructor and the student, at a mutually satisfactory time.

In the event a student is scheduled for three examinations in one day, that examination scheduled for the middle period shall be considered in conflict and the conflict shall be resolved by making the examination given during the conflict period or at some time mutually agreed upon by the instructor and the student.

#### **46.4 Mid-Term Grades**

Mid-term grades will be submitted to the Registrar on all classes numbered 1000 and 2000 each term. These grades will be used for the advisement of students, not for the calculation of any GPA at Georgia Tech. Mid-term grades will be S or U (a grade of U indicates that based on work completed to that point the student's standing is in the D or lower range). They will be submitted by midterm, as specified by the official calendar, and be available to students no later than the following Monday.

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Source: Approved by Academic Senate. Date: 4/2001

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#### **46.5 Maintaining Academic Honesty**

A brochure outlining academic conduct rules, ideas on preventing academic dishonesty, and procedures on how to handle cases involving academic dishonesty, if they occur, is distributed to all faculty annually.

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Source: Undergraduate Curriculum Committee. Date: 8/1996

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#### **46.6 Georgia Institute of Technology Academic Honor Code**

##### **Article I: Honor Agreement**

Having read the Georgia Institute of Technology Academic Honor Code, I understand and accept my responsibility as a member of the Georgia Tech Community to uphold the Honor Code at all times. In addition, I understand my options for reporting honor violations as detailed in the code.

##### **Article II: Honor Code**

###### ***Section 1. Statement of Purpose***

The members of the Georgia Tech Community believe that a fundamental objective of the Institute is to provide the students with a high quality education while developing in them a sense of ethics and social responsibility. We believe that trust is an integral part of the learning process, and that self discipline is necessary in this pursuit. We also believe that any instance of dishonesty hurts the entire community. It is with this in mind that we have set forth an Academic Honor Code at Georgia Tech.

###### **Section 2. Objectives**

An Honor Code at Georgia Tech aims to cultivate a community based on trust, academic integrity and honor. It specifically aims to accomplish the following:

- Ensure that students, faculty and administrators understand that the responsibility for upholding academic honesty at Georgia Tech lies with them;

- Prevent any students from gaining an unfair advantage over other students through academic misconduct;
- Ensure that students understand that academic dishonesty is a violation of the profound trust of the entire academic community;
- Clarify what constitutes academic misconduct among students at Georgia Tech and what is expected of them by the Institute, the faculty, and their peers;
- Cultivate an environment at Georgia Tech where academic dishonesty is not tolerated among the students;
- Secure a centralized system of education and awareness of the Honor Code.

### **Section 3. Student Responsibilities**

Students are expected to act according to the highest ethical standards. The immediate objective of an Honor Code is to prevent any students from gaining an unfair advantage over other students through academic misconduct. The following clarification of academic misconduct is taken from [Section XIX](#). Student Conduct Code, of the Rules and Regulations portion of the Georgia Institute of Technology General Catalog:

Academic misconduct is any act that does or could improperly distort student grades or other student academic records.

Such acts include but need not be limited to the following:

- Possessing, using or exchanging improperly acquired written or verbal information in the preparation of any essay, laboratory report, examination, or other assignment included in an academic course;
- Substitution for, or unauthorized collaboration with, a student in the commission of academic requirements;
- Submission of material that is wholly or substantially identical to that created or published by another person or persons, without adequate credit notations indicating authorship (plagiarism);
- False claims of performance or work that has been submitted by the claimant;
- Alteration or insertion of any academic grade or rating so as to obtain unearned academic credit;
- Deliberate falsification of a written or verbal statement of fact to a member of the faculty so as to obtain unearned academic credit;
- Forgery, alteration or misuse of any institute document relating to the academic status of the student.

While these acts constitute assured instances of academic misconduct, other acts of academic misconduct may be defined by the professor.



Students must sign the Honor Agreement affirming their commitment to uphold the Honor Code before becoming a part of the Georgia Tech community. The Honor Agreement may reappear on exams and other assignments to remind students of their responsibilities under the Georgia Institute of Technology Academic Honor Code.

#### **Section 4. Faculty Responsibilities**

Faculty members are expected to create an environment where honesty flourishes. In creating this environment, faculty members are expected to do the following:

- Make known to their class as specifically as possible what constitutes appropriate academic conduct as well as what comprises academic misconduct. This includes but is not limited to the use of previously submitted work, collaborative work on homework, etc.
- Provide copies of old exams or lists of sample questions to the Georgia Tech library for students to review.
- Avoid the re-use of exams.
- Include a paragraph containing information about the Georgia Tech Academic Honor Code on the syllabus for each class they teach.

Report instances of academic dishonesty to the office of the Vice-President for Student Services. In addition to the expectations listed above, it is recognized that faculty have the authority to superimpose their own interpretations on some aspects of academic conduct including, but not limited to, the following:

- Old exams for use during open-book exams;
- Contents of formula sheets allowed on exams;
- Use of calculators on exams;
- Collaboration on out of class assignments;
- Use of previously submitted out of class assignments.

### **Article III: Honor System**

#### **Section 1. Governing Bodies**

The Georgia Institute of Technology Academic Honor Code recognizes the present bodies given the power to enforce the academic regulations of the Institute. The Honor Code recognizes the Office of the Dean of Students to be the principal administrator to enforce Institute disciplinary measures as presently specified in [Article XIX, Section B](#), of the Rules and Regulations portion of the current Georgia Institute of Technology General Catalog.

The Honor Code also recognizes the Student Honor Committee as that body given jurisdiction to hear all cases of alleged academic misconduct as currently specified in [Article XIX, Section B](#), of the Rules and Regulations portion of the current Georgia Institute of Technology General Catalog.

## **Section 2. Reporting Honor Code Violation**

In order for an Honor Code to function, members of the Georgia Tech Community must not tolerate violations of it by anyone. Community members are at their discretion to use any of three options to report suspected Honor Code violations:

A student may simply desire to confront the fellow student with the perceived infraction. While this option is the most likely to enact widespread change in attitude and behavior among students (because violators would understand that they are violating the trust of their peers and not some abstract body of people), it is still expected that an alleged violator will be reported to the Vice-President of Student Services.

A student may choose to approach the professor of the class in which the alleged infraction occurred and seek his or her input on how to proceed. A result of a conference of this type would be the professor's awareness that the alleged violator needs closer monitoring to ascertain reasonable certainty of guilt before being reported to the Vice-President of Student Services.

A student may choose to seek the advice of an Honor Advisor (see Article III., Section 3, below). Meetings with Honor Advisors shall address issues of policy and procedure only. Specifics of an individual case are not to be discussed. After a consultation with an Honor Advisor, a student may choose to submit a formal accusation of academic misconduct to the Vice-President for Student Services.

## **Section 3. Student Honor Advisory Council**

Students composing the Student Honor Advisory Council are to become well versed in all aspects of the Georgia Institute of Technology Academic Honor Code and the procedures for reporting an honor violation as well as those procedures for the trying of cases of suspected academic misconduct before the Student Honor Committee. The Council is to act as an information resource to all members of the Georgia Tech Community on issues related to the Honor Code.

### *A. Membership*

Members are to be selected by the Vice-President of Student Services or a designee of the Vice-President of Student Services. Members must be full-time students at Georgia Tech and must be in good academic standing. Once a member of the council, the student shall serve until he or she graduates, unless he or she resigns or is impeached. Impeachment procedures are to be specified in the rules and/or bylaws of the Honor Advisory Council. Membership shall be composed of no less than fifteen (15) students at any given time.

### *B. Duties and Responsibilities*

To serve in an advisory capacity to any student(s) wishing to report an honor violation or any student(s) being accused of committing an honor violation. To continually educate and maintain awareness among the Georgia Tech Community regarding the Honor Code. To limit discussion with students to issues of policy and procedure.

#### **Article IV.**

Amending the Honor Code Amendments to the Georgia Tech Academic Honor Code may be proposed by a two-thirds (2/3) vote of both the Undergraduate Student Council and the Graduate Student Senate, or by a petition of ten percent (10%) of the total student population (undergraduate and graduate) directed to both the undergraduate student body President and the graduate student body President. Amendments become part of this Honor Code upon ratification by two-thirds (2/3) of the votes cast in a special election open to undergraduate and graduate students, provided that the proposed amendments have been published in The Technique at least one week prior to the vote by the Student Body and further provided that the amendments are approved by the Academic Senate.

Appendices or amendments of appendices which pertain to either the undergraduate or to the graduate student body may be proposed by a two-thirds (2/3) vote of the respective legislative body or a petition of at least ten percent of the respective student body directed to the respective student body president. These shall become part of this Honor Code upon ratification by two-thirds (2/3) of the votes in a special election of the respective student body, provided that the proposed appendices or amendments of appendices have been published in The Technique at least one week prior to the election, and further provided that the appendices or amendments of appendices are approved by the Academic Senate.

#### **Appendix A: Graduate Appendix to the Honor Code**

Section 1. Preamble The Honor Code recognizes that graduate students are involved in research and scholarly activities which occur outside the classroom. Integrity and academic honesty are as fundamental to research and scholarly activity as they are to classroom activity. Therefore, this Appendix to the Honor Code is adopted to pertain to the academic activities of graduate students which occur outside of the classroom.

Section 2. Scholarly Misconduct Scholarly misconduct refers to misconduct which occurs in research and scholarly activities outside the classroom. It can include plagiarism, among other things. The consequences of scholarly misconduct are governed by Institute policy. The following definitions are taken from the Institute's Policy on Scholarly Misconduct.:

"Misconduct" or "scholarly misconduct" is the fabrication or falsification of data, plagiarism, or other practice that seriously deviates from those that are commonly accepted within the academic or research community for proposing, conducting or reporting research or scholarly activity. It does not include honest error or honest differences in interpretation or judgments of data.

"Plagiarism" is the act of appropriating the literary composition of another, or parts or passages of his or her writings, or language or ideas of the same, and passing them off as the product of one's own mind. It involves the deliberate use of any outside source without proper acknowledgment. Plagiarism is scholarly

misconduct whether it occurs in any work, published or unpublished, or in applications for funding. Allegations involving scholarly misconduct fall under the Institute's Policy on Scholarly Misconduct. This document details the procedures involved with reporting allegations and with the handling of cases. All graduate students are encouraged to become familiar with this policy, which is available from the office of the Provost.

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Source: Undergraduate Curriculum Committee. Date: 8/1996

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## **47. FACILITIES**

### **47.1 General**

The following policies and procedures are hereby created and adopted for the purposes of providing a clear statement of position of the Georgia Institute of Technology with respect to the use of the facilities of the Institute. They shall provide guidance for those charged with the implementation and shall be applied in an impartial and consistent manner to all segments of the Institute hereinafter enumerated.

### **47.2 Scope**

For these purposes, the facilities of the Georgia Institute of Technology shall mean any and all portions of all buildings and structures, land and open space, air rights above such spaces, and campus utilities, walks, streets, and recreation areas which are considered to be a part of the campus of the Georgia Institute of Technology in Atlanta; whether such facilities are "owned" or "leased" by the Board of Regents of the University System of Georgia or the Georgia Education Authority. Providing, however, that nothing in this statement of policy is intended to infringe upon or restrict the use of privately owned facilities such as fraternities or religious centers located within the campus.

These policies shall be applicable to all faculty, staff, and students of the Georgia Institute of Technology. Part-time and special term employees as well as students in special, short-term, and continuing educational programs shall be similarly governed. In addition, persons who are not students or employees of the Institute, while on Institutional property, are required to adhere to the standards of conduct applicable to Georgia Institute of Technology faculty, staff, and students and to abide by all pertinent policies and campus regulations.

Access to the campus of the Georgia Institute of Technology shall be limited to authorized visitors, invited guests, persons in an official institutional capacity attending an officially recognized campus-oriented function or activity.

## **47.3 Policy**

### **47.3.1 Primary Purpose for Facilities**

The paramount mission of the Georgia Institute of Technology is recognized as the acquisition, transmission, and application of knowledge through teaching, research and public service. There exists, therefore, the basic requisite that any and all uses of facilities be relevant in this context of educational purposes.

### **47.3.2 Jurisdiction**

Primary jurisdiction over all Institutional facilities shall rest with the Office of the President. While the President may designate representatives to act in his/her behalf in the assignment and control of facilities, such delegation shall remain subordinate to central administration control. This means that all facilities shall be considered to be primarily facilities of the Institute and only secondarily facilities of a branch, college, department, school, or other institutional subdivision.

### **47.3.3 Priority Uses**

The use of Institutional academic facilities, classrooms, seminar spaces, laboratories, and auditoria for scheduled academic instructional and research purposes shall take precedence over all other uses of such spaces and will not be displaced without the expressed approval of the President or his/her authorized designee.\*

\*Provost

Inasmuch as the physical facilities of the Institute were specifically authorized and intended for these purposes, the Georgia Institute of Technology expects and requires, with the exceptions noted herein, the principal focus of all activity on and within the facilities of the Institute will be directed toward GIT educational purposes and essentially restricted to the faculty, staff, alumni or students of the Institute as defined herein.

EXCEPTIONS to this provision shall be recognized as:

- Athletic events which involve the participation of students of the Georgia Institute of Technology in intramural or intercollegiate competition with or without public audience, or which may or may not involve Georgia Institute of Technology students, but are considered to be in the interest of the general public of the State of Georgia and which are uniquely restricted by purpose or by performance to such facilities; or
- Programs of a special nature which are principally designed to provide members of the institutional family with viable linkages with areas of professional or social concern; i.e., professional workshops, seminars, neighborhood relations, model cities activity, economic and social opportunity, housing, etc., providing, however, that the facilities of the Institute will not be allocated or used for routine regular meetings, banquets, etc., of any organization which is not essentially [seventy-five percent (75%) active membership] made up of the faculty, staff, and

students of the Institute, unless such organization has as its primary purpose the furtherance and improvement of the goals and objectives of the Institute; or

- Activities sponsored by recognized, nonprofit service organizations, for which no other suitable facilities are available within the metropolitan area, and for which it can be clearly demonstrated that a major public or institutional benefit would be rendered [subject also to the provisions of the paragraph above]; or
- Uses which occur in spaces and facilities rented or leased by the Georgia Institute of Technology under the provisions of policy Section 47.3.6 of this document.

#### **47.3.4 Facility Use in Relation to Freedoms of Speech and Assembly**

Faculty, staff and students shall enjoy the rights of free speech. Faculty, staff and students, may also hear outside speakers on campus. There shall also be designated a free speech area on campus where faculty, staff, students and members of the general public may express their views. Use of these areas shall be in conformance with this policy. [Also see Section [47.3.5](#).]

However, as there is no absolute right to assemble or to make or hear a speech at any time or place regardless of the circumstances, content of speech, purpose of assembly, or probable consequences of such meeting or speech, the issuance of invitation to outside speakers other than for scheduled classes shall be limited in the following particulars, but only in the manner set forth herein:

- A request to invite an outside speaker will be considered only when made by a chartered student or organized faculty group, recognized by the President or his/her authorized designee.\*

\*Authorized Designees/Speaker Policy:

Student Related: Vice President for Student Affairs

Faculty/Staff Related: Provost

- No invitation by such organized group shall be issued to an outside speaker without prior written concurrence by the President, or such person or committee as may be designated by him/her (hereafter referred to as his/her authorized designee), for scheduling of speaker dates and assignment of campus facilities.
- Any speaker request shall be made in writing by an officer of the student or faculty organization desiring to sponsor the proposed speaker not later than ten (10) calendar days prior to the date of the proposed speaking engagement. This request shall contain the name of the speaker and the sponsoring organization, the proposed date, time, and location of the meeting, the expected size of the audience and topic of speech. Content of speech shall only be reviewed for purposes set forth in the next paragraph. Any request not acted upon by the President, or his/her

authorized designee within four (4) working days after submission shall be deemed granted.

- A request made by a recognized organization may be denied only if the President, or his/her authorized designee, determines, after proper inquiry, that the proposed speech will constitute a clear and present danger to the Institute's orderly operation by the speaker's *advocacy* of such actions as:
  - *The violent overthrow of the government of the United States, the State of Georgia, or any political subdivision thereof; or*
  - *The willful damage or destruction, or seizure and subversion of the Institute's buildings or other property; or*
  - *The forcible disruption or impairment of, or interference with, the Institute's regularly scheduled classes or other educational functions; or*
  - *The physical harm, coercion, intimidation, or other invasion of lawful rights, of the Institute's officials, faculty members or students; or*
  - *Other campus disorder of a violent or disruptive nature.*

*In determining the existence of a clear and present danger, the President, or his authorized designee, may consider all relevant factors, including whether such speaker has within the past five years incited violence resulting in the destruction of property at any state educational institution or has willfully caused the forcible disruption of regularly scheduled classes or other educational functions at any such institution.*

*Advocacy, as described above, means preparing the group addressed for imminent action and steering it to such action, as opposed to the abstract espousal of the moral propriety of a course of action by resort to force; and there must be not only advocacy to action but also a reasonable apprehension of imminent danger to the essential functions and purposes of the Institute.*

- Where the request for an outside speaker is denied, any sponsoring organization thereby aggrieved shall, upon written application to the President, or his/her authorized designee, obtain a hearing within two (2) days following the filing of its appeal before the Executive Board which, when augmented by the President and the President of the Undergraduate and Graduate Student Government, shall constitute the Campus Review Committee, for a de nova consideration of the request. If such request is neither granted nor denied within said two-day period, it shall be deemed granted, and the speaker's invitation shall be issued. The two student members on the Campus Review Committee shall serve only as long as they hold those student offices.

Appeal from the decision of the Campus Review Committee shall be made to the Board of Regents in accordance with the Board of Regent's Policy.

- Where the request for an outside speaker is granted and the speaker accepts the invitation, the sponsoring organization shall inform the President, or his/her authorized designee, in writing immediately of such acceptance. The President, or his/her authorized designee, may at his/her discretion, require that the meeting be chaired by a member of the administration or faculty, and he/she may further require a statement be made at the meeting that the views presented are not necessarily those of the Institute or of the sponsoring group. By this acceptance of the invitation to speak, the speaker shall assume full responsibility for any violation of law committed by him while he is on campus.
- In any of its invitations, advertisements or other correspondence, the group shall not imply that the Institute or the Board of Regents of the University System of Georgia approve or are in agreement with any of the advocations, policies or proposals exposed therein. 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 approve or are in agreement with any of the advocations, policies or proposals espoused therein.
- Where he/she considers it to be in the best interest of the Institute, the President or his/her authorized designee may require that any meeting be closed to all persons other than the faculty, staff or students of the Georgia Institute of Technology.

#### **47.3.5 Office of Capital Planning and Space Management**

Campus organizations chartered by the Georgia Institute of Technology may use campus facilities on a space available basis for regular meetings and other events related to the stated objectives and purpose of the organization. Dues or initiation fees pertaining directly to the maintenance of the organization may be collected during scheduled meetings but admission may not be charged nor other funds solicited at such meetings or sponsored event unless specifically approved by the Office of Capital Planning and Space Management. When admission is approved and charged, the sponsoring organization will pay the Institute the required share of the space maintenance, control, and staging expenses, and other overhead costs associated with the event, and must submit a profit and expense statement to the Office of Capital Planning and Space Management. When required by the Office of Capital Planning and Space Management, organizations or individuals using Institutional facilities shall provide proof of liability insurance coverage in an amount prescribed by the office of Capital Planning and Space Management.

It shall be the responsibility of the President, or his/her authorized designee, to ensure that unlawful bias is not introduced in the accommodation of speakers or



the assignment of spaces and that equal opportunities for the expression of a variety of viewpoints shall be provided over a reasonable period of time.

The Georgia Institute of Technology has no responsibility for providing a forum for off-campus speakers who may wish to avail themselves of its facilities. Facilities will, therefore, normally not be made available for non-affiliated or non-sponsored speakers. Chartered campus organizations are not required to accept speakers imposed upon them by an outside agency or individual, nor shall such organizations be required to lend their entitlement to use Institutional facilities or to invite outside speakers, merely as an accommodation to a non-campus individual, group or organization.

Within the context of these policies, the freedoms of speech and assembly guaranteed by the First and Fourteenth amendments to the United States Constitution are reaffirmed. This right, however, shall carry with it an equal obligation for orderly conduct, non-interference with Institutional functions or activities, and identification of sponsoring groups or individuals. The preservation of a suitable environment for study and research is of a paramount importance. The use of Institutional facilities in the exercise of the right of free speech, therefore, shall be subordinate to the need to carry out the regularly scheduled functions and organized activities of the Institute.

In this respect:

- If approved in advance by the Office of Capital Planning and Space Management, amplified sound may be used, but the privilege may be withdrawn if it interferes with regularly scheduled classes or other educational processes.
- The health, safety, and general welfare of the members of the Georgia Institute of Technology must be preserved. To ensure that the campus is not littered, which may affect sanitation and health; that Institutional property is not damaged; that views which are necessary for the safe movement of traffic are not impeded; and that the established standards of campus aesthetics are maintained, the following shall apply:

Any student or chartered student organization may place posters or printed materials on bulletin boards or kiosks provided by the Institute for that purpose, but shall be restricted from erecting, posting, or displaying signs and other similar material in any and all other locations unless written approval has first been obtained from the Office of Capital Planning and Space Management. All proposals for the construction of displays shall be submitted to the Office of Capital Planning and Space Management for a review of safety and aesthetic compliance prior to construction. Sites for the construction of displays shall be designated by the Office of Capital Planning and Space Management.

Political campaign advertisement, other than student government elections or as provided for in a Board of Regent Georgia Institute Technology advertisement policy, and commercial shall not be displayed

on the Campus. Facilities leased by Athletic Association may permit it deems appropriate is consistent with University mission.

- With the exceptions noted herein, the distribution on the campus of commercial materials (which for these purposes shall be considered to be items, other than newspapers, offered for sale or to induce sales) shall be prohibited. Vendors offering services to Campus under contract may solicit the sales of goods or services consistent with the contract. The distribution of newspapers shall be limited to vending machines of design and at locations approved by the
- Individuals, including recognized candidates for public office, may distribute literature or non-commercial materials at locations on the campus which are designated by the Office of Capital Planning and Space Management for such purposes (i.e., free speech area), providing, however, that the process of distribution does not interfere with regularly scheduled classes or similar activities and does not infringe upon the privacy of individuals. The distribution of material and literature, other than printed material relating to approved campus functions and newspapers, within any campus building or structure shall be restricted to locations and facilities prescribed for such activities. Distribution, however, must be done in person by the individual and only when voluntarily accepted and shall not take the form of placement upon private property such as automobiles parked on campus.
- Non-Institutional persons shall be prohibited from posting, exhibiting, or distributing commercial literature and materials on campus with the exception of items specifically for use in conducting official Institute activities or items normally ordered and delivered in support of on-campus residency, or items offered to the general public in conjunction with authorized campus events.

All distributed material shall be identified clearly by the name of the organization or sponsoring persons and, except for official Institutional announcements, ordinarily shall be removed within ten days of posting. Failure to remove such material shall be considered sufficient cause to deny future requests for such privileges.

- The use of Institutional offices or other work spaces shall not be granted to any organization or individuals who propose to use such facilities to extend their activities beyond the campus to raise funds for political purposes, to campaign, to promote or otherwise intervene or participate in campaigns of a political nature, or to promote or raise funds for any purpose which has not been specifically approved by the President, or his/her authorized designee.
- The assignment of outdoor space for campus and non-campus speakers who are, or claim to be exercising the freedoms of speech and assembly guaranteed by the first and fourteenth amendments to the United States Constitution shall be governed by all of the applicable provisions

contained herein. To insure an equal and fair opportunity to be heard to all availing themselves of these rights an individual or group may utilize the principal outdoor space so designated for such activities, no more than four (4) times (a time being any portion of one twenty-four hour day of a maximum duration of three hours) in any calendar month. If an individual or group wishes to exercise such guaranteed freedoms on the campus for more than four (4) days in any calendar month the Director of Capital Planning and Space Management may assign other outdoor spaces.

Institutional facilities shall not be used for the purpose of organizing, aiding, or carrying out, in any degree, any unlawful activity.

Faculty and staff organizations of the Institute share the same opportunities as are listed for students and chartered student organizations above. Faculty and staff organizations are defined as those internal organizations that are recognized by the Faculty Executive Board or the Office of the Senior Vice President of Administration and Finance.

Nothing in this statement of policy is intended to restrict in any way the use of Institutional facilities for:

- A. Regularly scheduled classes;
- B. Extra or rescheduled classes;
- C. Professional society meetings including student chapters;
- D. Seminars and special instructional lectures sponsored by an administrative department or the Department of Distance Learning and Professional Education; or
- E. Authorized consulting, contract, or sponsored research.

#### **47.3.6 Rental or Lease of Facilities**

In conformity with the policies and practices of the Board of Regents of the University System of Georgia, the physical facilities of the Georgia Institute of Technology will not, as a rule, be available for rental or lease. Under certain, specific conditions, however, and acting with the full knowledge and authority of the Board of Regents, the President of the Georgia Institute of Technology may authorize and approve the lease or rental of physical facilities of the Institute.

The conditions which must be satisfied include, but may not be limited to:

- The facilities involved are not specifically required during the period of intended lease/rental for any institutional purpose.
- The use of the facilities shall be restricted to purposes which offer to benefit directly a major segment of the population of the Georgia Institute of Technology in an educational or entertainment context or which are compatible with the academic or residential functions and responsibilities of the Institute.

- The parties and/or individuals seeking the lease/rental shall be required to demonstrate sound financial and management capabilities related to responsible utilization and shall be capable of providing the required IRS ID number, licensing by the State of Georgia bonding and insurance protection.
- The rental/lease 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.
- The net income from all lease/rental shall be utilized to support related student programs or to maintain and improve the physical facility which is used to generate such income.
- Facilities shall not be leased/rented for activities of a political nature or events which are designed to benefit a political cause.
- Individuals or organizations using instructional facilities under these provisions shall not use the name of the Georgia Institute of Technology or the State of Georgia in advertising or in any other manner to state or imply such sanction or sponsorship.
- During such use the Georgia Institute of Technology police and other duly empowered police and security officers, public safety officials, and EMTs assigned to the facilities shall be required and instructed to observe and enforce all applicable laws of the State of Georgia and the City of Atlanta.
- It is the policy of the Georgia Institute of Technology that the sale, distribution or consumption of alcoholic beverages on the premises of the Institute shall be prohibited unless specifically authorized by the President or his/her representative.
- The sale, distribution or consumption of alcoholic beverages in all academic buildings and spaces shall be specifically prohibited.

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Source: Office of Capital Planning and Space Management. Date: 10/25/2004

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## **47.4 Procedures**

### **47.4.1 Education Extension and Non-Academic Use**

All requests for the use of any Georgia Institute of Technology facilities from sources external to the Institute that do not appear to involve directly Education Extension shall be directed to the Office of the Vice President of Facilities. Such requests will be evaluated by the Office of the Associate Vice President for Facilities in light of approved Institutional policies and the request approved or denied. In the instance of all marginal or questionable proposals, such requests shall be discussed with the President for his recommendations and direction.

### **Education Extension**

All requests for the use of Institutional facilities which are or appear to be related to Education Extension Services shall be directed initially to the Director of Education Extension Services. Education Extension Services will coordinate specific requirements for facilities with the Office of the Associate Vice President for Facilities and appropriate Institute offices.

### **Institutional Facilities Other than the Student Center**

All requests for the use of Institutional facilities, other than the Student Center, which involve extracurricular faculty, staff or student activities shall be submitted to the Office of the Associate Vice President for Facilities on the standard form available for that purpose in the Associate Vice President for Facilities Office, fourth floor, Administration Building. Except in unusual circumstances, these requests should be submitted at least one week in advance of the proposed use to permit adequate time to effect the necessary coordination and arrangements.

Upon receipt of extracurricular faculty, staff or student requests, the Office of the Associate Vice President for Facilities will coordinate the use of facilities with appropriate Institutional offices and, if possible, make the requested assignments. If the requested spaces are not available, the requesting individual or organization will be advised of the other available facilities.

All student activities which propose the use of Institutional facilities will require the acknowledgment of the Vice President for Student Services with respect to charter or petition status before any assignment will be processed. In addition, the requesting organization must certify that the required faculty advisor or sponsor has been made aware of proposed use and will be present, or satisfactorily represented, at the events to assume responsibility for the Institutional facilities.

Similarly all proposed faculty and staff use will require acknowledgment of the appropriate department head before processing of the request can be initiated.

### **Student Center Facilities**

All requests for use of the Student Center facilities which involve extracurricular faculty, staff or student activities shall be directed to the Scheduling Office in the Student Center.

### **Notification**

The Office of the Associate Vice President for Facilities shall be responsible for the notification of the applicant, or the appropriate schools, department, Plant Operations Department and Georgia Tech Police Officers, of all pertinent actions taken in accordance with these procedures.

### **Student Organization-Sponsored Speakers**

Any chartered student organization or agency of student government wishing to present off-campus speakers in or on Institutional facilities may do so by complying with the following procedures:

- Not less than ten days before making final commitments or publicizing the meeting, an authorized officer of the organization shall submit in writing to the Vice President for Student Affairs a notice of intention to invite an off-campus speaker. The notice shall state the speaker's name and the organization represented, if any, the subject matter, proposed date of meeting, audience to be addressed, Institutional facility sought to be used, and the comments and signatures of any faculty members consulted. If any faculty member consulted should advise against invitation, the reasons for such advice shall be indicated along with the organization's reasons for wishing to extend the invitation despite this disagreement.
- In the absence of sponsorship by a chartered student organization or other Institutional authority, invitation of a speaker may be initiated by a petition to the Vice President for Student Services. The petition shall bear the signatures of at least one hundred registered, *bona fide* students of the Georgia Institute of Technology. The first five signers shall constitute a committee responsible for arrangements, and the first signer shall be chairman. One faculty member must be consulted by the committee to obtain his/her opinion and the opinion of such other members of the faculty as named. The petition shall contain the information described in paragraph above, and also information that will satisfy the Vice President for Student Services that funds are on hand to pay all expenses involved. A petitioning group shall have the same entitlements as a chartered student organization for this presentation.
- Whenever the Vice President for Student Services considers it appropriate to ensure an orderly discussion, he/she may require that the meeting be closed to all persons other than students of the Institute, its faculty and staff.
- The Vice President for Student Services may deny an invitation only if the organization or petitioning group fails to conform to the policies and procedures outlined herein. Failure to disapprove within four working days of submission shall constitute approval to extend the invitation to the speaker, but does not constitute approval of the use of the desired Institutional facility, which must be coordinated with the Office of the Associate Vice President for Facilities.
- Upon receipt, the Vice President for Student Services will submit with his/her recommendations attached, all requests for the use of Institutional facilities to the Associate Vice President for Facilities.
- The requesting organization shall be promptly advised of pertinent action taken in accordance with these procedures.

#### **Teaching Faculty-Sponsored Speakers**

Any members of the teaching faculty wishing to invite an off-campus speaker to address the duly registered students of their regularly scheduled class, or a special session of their scheduled class or seminar in the assigned classroom

space is free to do so. When the audience is expanded by open invitation or when centrally administered space is requested in anticipation of a larger audience, however, the faculty member shall comply with the following procedure:

- The faculty member shall obtain written approval of his/her department head. This written approval shall be submitted to the Office of the Associate Vice President for Facilities as soon as possible by the department head so that appropriate campus service organizations may be alerted.
- If a change of facilities is involved, the speaker should not be invited or the event advertised until approval of the use of space is received by the department.

#### **Faculty- or Staff-Sponsored Speaker**

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. When the proposed audience is expanded by open invitation to off-campus persons, however, the organization shall comply with the following procedure:

- Not less than ten days before making final commitments or publicizing the meeting, an authorized officer of the organization shall submit in writing to the Provost and Vice President for Academic Affairs a notice of intention to invite an off-campus speaker. The notice shall state the speaker's name and the organization represented, if any, the subject matter, proposed date of meeting, audience to be addressed, and the Institutional facility sought to be used.
- The Provost and Vice President for Academic Affairs may deny an invitation only if the organization fails to conform to the policies or procedures outlined herein. Failure to disapprove within four working days of submission shall constitute approval to extend the invitation to the speaker, but does not constitute approval of the use of the desired Institutional facility, which must be coordinated with the Office of the Associate Vice President for Facilities. Whenever the Provost and Vice President for Academic Affairs considers it appropriate to ensure orderly discussion, he/she may require that the meeting be closed to all persons other than the faculty or staff of the Institute.
- Upon receipt, the Provost and Vice President for Academic Affairs will submit with his/her recommendations attached, all requests for the use of Institutional facilities to the Associate Vice President for Facilities.
- Speakers should not be invited or the event advertised until approval of the use of space is received by the organization.

#### **Resolving Facility Conflicts**

In the event that an Institutional organization, such as Education Extension Services, has a significant unique requirement for the use of a specific

Institutional space which is in conflict with a regularly scheduled class, the director of the organization may submit a request to displace the class to the Provost and Vice President for Academic Affairs. This written request will incorporate any significant evidence in support of the special need and shall be filed at least thirty days in advance of the date required.

The Provost and Vice President for Academic Affairs shall make a decision on the matter and if the displacement is authorized, will notify the Office of the Associate Vice President for Facilities so that appropriate rescheduling may occur.

#### **Facility Releases after Event Cancellations**

All sponsors shall notify the Office of the Associate Vice President for Facilities immediately by telephone, followed by a memorandum, when an event is canceled so that the space may be made available for reassignment. The Office of the Associate Vice President for Facilities will distribute a cancellation notice to all concerned parties.

#### **47.4.2 Academic Instructional Use**

Annually, and approximately four weeks prior to commencement of Fall quarter registration, each College, School, Department, and separate Institutional office will be assigned physical facilities for the coming academic year by the Office of the Associate Vice President for Facilities. This assignment will include laboratories, small classrooms, offices, seminar spaces, research facilities, special use spaces, and storage. The assignment will be based upon the effective requirements of the organization as reflected by the utilization rate during the immediately preceding academic year and a realistic appraisal of projected requirements for the coming annual period. Appropriate attention and consideration will be given to continuity in the assignment of facilities and to requirements of a special nature which might not have been reflected in the above described process of analysis. Recognizing the objectives of such procedures are to maximize the effective use of Institutional facilities and to provide a method which will reflect and correct inequities on a more dynamic basis, annual assignments may be increased or decreased by the Office of the Associate Vice President for Facilities. Once the annual assignment of space is made, however, the use/management responsibility shall flow to the recipient College, School, or department and all matters relating to the temporary use or exchange of such assigned facilities shall be directed to the appropriate College, School, or Department.

The use of all large lecture rooms, auditoria and theaters as well as all medium size classrooms (containing sixty or more student stations) shall be coordinated directly by the Office of the Associate Vice President for Facilities and shall not be considered as assigned space to any School, Department, or organization.

In the event new facilities are added to the physical inventory during the academic year, an interim assignment and adjustment of space will be made by the Office of the Associate Vice President for Facilities.



All requirements for space generated as a result of unforeseen circumstances shall be directed to the Office of the Associate Vice President for Facilities.

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Source: Office of Facilities. Date: 8/1996

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#### **48. USE OF OFFICE SPACE BY RETIRED FACULTY**

- A. It is the policy of the Georgia Institute of Technology to consider the request from retired faculty to be provided office space.
- B. After office space for regular faculty is provided, space, if available, may be provided to retired individuals who perform a service to the institution. Special approval is required from the department chair, academic dean, and the Provost and Vice President for Academic Affairs.
- C. Each case will be reviewed annually prior to the beginning of the Fall quarter.

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Source: Provost and Vice President for Academic Affairs. Date: 8/1996

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#### **49. UTILITIES, MAINTENANCE, AND MODIFICATIONS**

The Office of the Associate Vice President for Facilities and Plant Operations Division, as part of their basic functional assignments from the Board of Regents and the Institute's administration, are the responsible organizational units for the design, construction, and maintenance of all campus facilities.

All utilities and associated components which are located on or within the campus boundaries are Institute owned. This includes all conduits, cables, wire, trenches, paths, poles, towers, pipes, sewers, and other subcomponents used to interconnect buildings and/or operational areas.

After any utility system has been installed and/or modified, ownership of all components, sub-components and/or additions to such systems, rests with the Institute.

If a user organization desires to have new utility installed or modified in order to extend that utility, funding for such projects must be borne by that organizational unit. Further, the funding organization or the project must obtain written approval of the Plant Operations Division (Director's Office) to add or modify the utility; and the design for such addition/modification must be prescribed by the Plant Operations Division's Engineering Department to ensure compliance with campus standards. Once completed, the ownership of the utility rests with the Institute. Right of first use will be granted to the funding organization, but essential maintenance will be managed by the Plant Operations Division. (Funding for maintenance and/or repair of the utility will be the responsibility of the user organization on a *pro rata* charge basis related to the utility's use.)

All operational costs associated with new utilities and/or modification of existing utilities for an organization will be the responsibility of the user.

Source: Office of Facilities. Date: 8/1996

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## **50. INTELLECTUAL PROPERTY POLICY**

### **50.1 Introduction**

The Georgia Institute of Technology (GIT) is dedicated to teaching, research, and the extension of knowledge to the public. Its personnel recognize as two of their major objectives, the production of new knowledge and the dissemination of both old and new knowledge. Inherent in these objectives is the need to encourage the development of new and useful devices and processes, the publication of scholarly works and educational materials, the development of computer Software, and other forms of Intellectual Property. Such activities (1) contribute to the professional development of the faculty, staff or students involved, (2) enhance the reputation of GIT, (3) provide additional educational opportunities for participating students, and (4) promote the general welfare of the public at large.

Patentable inventions and materials often come about because of activities of GIT faculty, staff or students who have been aided wholly or in part through the use of GIT resources. It becomes significant, therefore, to insure the utilization of such inventions for the public good and to expedite their development and marketing. The rights and privileges, as well as the incentive, of the inventor must be preserved so that his or her abilities and those of other GIT faculty, staff and students may be further encouraged and stimulated.

GIT recognizes and encourages the publication of scholarly works as an integral part of the processes of teaching, research and service. GIT encourages faculty, staff and students to regularly prepare for publication, usually through individual effort and initiative, articles, pamphlets, books and other scholarly works which may be subject to copyright and which may generate royalty income for the author. Publication may also result from work supported either partially or completely by the institution. With the advent of innovative techniques and procedures, the variety and number of materials that might be created in a university community have increased significantly, causing the ownership of such copyrightable materials to become increasingly complex.

GIT aims to be at the forefront of teaching and to provide diverse high-quality learning environments. To achieve these purposes, GIT wishes to encourage and provide incentives for innovators in the development of improved educational materials. Through the efforts of faculty and staff, digital and other storage and transmission media will have an increasing role in expanding educational effectiveness and accessibility. When such materials are used to expand programs outside the traditional campus, they require and deserve Intellectual Property protection.

GIT recognizes the need for enhanced development and dissemination of software technology as a means of expressing both old and new knowledge. Inasmuch as GIT is aware of the dynamic nature of Software and that the value of Intellectual Property comes from the ability of its owner to control its use and that such value is directly related to the degree of protection it enjoys under the law, GIT encourages the protection of such expressions of knowledge by the utilization of appropriate Intellectual Property laws and the creation of comprehensive software technology transfer policies and procedures.

The Board of Regents has, by contract, granted rights to Intellectual Property created at GIT to the Georgia Tech Research Corporation (GTRC). When this policy speaks to ownership of Intellectual Property by GIT, GTRC shall be the owner.

The foregoing considered, the Georgia Institute of Technology does hereby establish the following policy with respect to the development, protection, and transfer of rights to Intellectual Property resulting from the work of its faculty, staff or students.

## **50.2 Definitions**

"Intellectual Property" shall be deemed to refer to Patentable Materials, Copyrighted Materials, Trademarks, Software, and Trade Secrets, whether or not formal protection is sought.

"Patentable Materials" shall be deemed to refer to items other than Software which reasonably appear to qualify for protection under the patent laws of the United States or other protective statutes, including Novel Plant Varieties and Patentable Plants, whether or not Patentable thereunder.

"Copyrighted Materials" includes the following: (1) books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests and proposals; (2) lectures, musical or dramatic compositions, unpublished scripts; (3) films, filmstrips, charts, transparencies, and other visual aids; (4) video and audio tapes or cassettes; (5) live video and audio broadcasts; (6) programmed instructional materials; (7) mask works; and (8) other materials or works other than Software which qualify for protection under the copyright laws of the United States (see 17 U.S.C.102 et seq.) or other protective statutes whether or not registered thereunder.

"Software" shall include one or more computer programs existing in any form, or any associated operational procedures, manuals or other documentation, whether or not protectable or protected by patent or copyright. The term "computer program" shall mean a set of instructions, statements of related data that, in actual or modified form, is capable of causing a computer or computer system to perform specified functions.

"Trademarks" shall include all trademarks, service marks, trade names, seals, symbols, designs, slogans, or logotypes developed by or associated with the Georgia Institute of Technology. (See 15 U.S.C.1127.)

"Trade Secrets" means information including, but not limited to, technical or nontechnical data, a formula, a pattern, a compilation, a program, a device, a method, a technique, a drawing, a process, financial data, financial plans, product plans, or a list of actual or potential customers or suppliers which: (i) derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons, who can obtain economic value from its disclosure or use; and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. (See O.C.G.A. 10-1-761.)

"Patentable Plant" means an asexually reproduced distinct and new variety of plant. (See 35 U.S.C.161.)

"Mask Work" means a series of related images, however fixed or encoded: (i) having or representing the predetermined, three dimensional pattern of metallic, insulating, or semiconductor material present or removed from the layers of a semiconductor chip product; and (ii) in which series the relation of the images to one another is that each image has the pattern of the surface of one form of the semiconductor chip product. (See 17 U.S.C. 901.)

"Novel Plant Variety" means a novel variety of sexually reproduced plant. (See 7 U.S.C.2321 et seq.)

"Creator" means a member of the Georgia Tech faculty, staff, or student body who makes an invention, as defined under U.S. patent law, or who participates in the creation of a copyrightable work, under US copyright law, or both. One is a participant in creating a copyrighted work when one makes an original work of authorship (or part thereof) fixed in any tangible medium of expression from which the work can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Being an editor or otherwise facilitating a creation does not ordinarily qualify one as a "Creator."

"Commercialization" means the process of developing marketable Intellectual Properties and licensing them to parties outside GIT who, in turn, will develop products or services based on them to sell or license to others. Thus, for example, this term does not apply to GIT offering a course or seminar for a fee.

### **50.3 Intellectual Property Committee**

Intellectual Property activities shall be under the general cognizance of an institutional Intellectual Property Committee. This Committee shall be appointed by the President after consultation with the Faculty Executive Board, as follows: one representative shall be selected from the Office of Business and Finance, one representative shall be selected from the Office of Legal Affairs; one representative shall be selected from the Georgia Tech Research Corporation; one or more faculty representative(s) shall be selected from each of the colleges so that there is a adequate representation of specialized areas such as but not limited to Software, instructional materials, or inventions; one or more representative(s) from the Georgia Tech Research Institute; and one representative shall be selected from the student body. As appropriate, a

representative that is knowledgeable on state and federal regulations will be included in the committee. The President shall appoint the Chair of the Committee. Committee appointments will be for three (3) years. Provided, however, that of the original members of the Committee, three shall be appointed for a term of one (1) year, three shall be appointed for a term of two (2) years, and the remainder shall be appointed for a term of three (3) years; the student representative shall be appointed for a term of three years or until he or she graduates, whichever comes first. Members of the Committee may be appointed to serve successive terms. In the event any seat on the Committee is vacated prior to expiration of the normal term, the Chair may appoint a successor to fill the unexpired term of the seat vacated.

The role of the Intellectual Property Committee is to:

- (a) Advise the President on policy matters relating to Intellectual Property;
- (b) Propose amendments considered necessary to the Intellectual Property policy;
- (c) Arbitrate disputes; and
- (d) Approve any deviations from this policy.

The Committee shall meet as necessary but at least once a year.

#### **50.4 Policy Applicability to Faculty, Staff, and Students**

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

#### **50.5 Assignment of Rights**

All full or part-time faculty and staff shall, as a condition of employment with the Institute, execute an Assignment of Rights Form, 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 Assignment of Rights Form. This policy shall, however, be applicable to them and shall be set forth in the General Catalog and Student Handbook.

#### **50.6 Determination of Rights in Intellectual Property**

##### **A. Sponsor-Supported Efforts**

The grant or contract between the sponsor and GTRC, under which Intellectual Property is produced, may contain specific provisions with respect to Intellectual Property. The Creators must be aware of these provisions as they can impact the licensing and Commercialization opportunities of the Intellectual Property.

##### **B. Institution-Assigned Efforts**

Ownership of Intellectual Property developed as a result of assigned institutional effort, including any effort normally associated with one's discipline and position, in education, research and service, shall reside with GTRC.

The general obligation to produce scholarly and creative works, such as textbooks and associated supplementary material, books, journal articles, does not constitute a specific assignment for this purpose. Creation of computer Software is a scholarly activity and it may not necessarily constitute a specific assignment for this purpose. (See also Definitions in Section [50.2](#)).

#### C. Institution-Assisted Individual Effort

Ownership of Intellectual Property developed by faculty, staff or students of GIT where GIT provides support of their efforts or use of institutional resources in more than a purely incidental way (unless such resources are available without charge to the public) shall reside with GTRC.

#### D. Individual Effort

In accordance with U.S. copyright law, textbooks, books, and journal articles and their directly associated electronic media will normally be treated as individual efforts owned by the author(s) unless one of the exceptions listed in [50.6](#) A-C applies.

In addition, ownership rights to Intellectual Property developed by GIT faculty, staff or students shall reside with the Creator of such Intellectual Property provided that: (1) there is no use, except in a purely incidental way, of GIT resources in the creation of such Intellectual Property (unless such resources are available without charge to the public); (2) the Intellectual Property is not prepared in accordance with the terms of GIT contract or grant; and (3) the Intellectual Property is not developed by faculty, staff or students as a specific institution assignment. The nature and extent of the use of GIT resources shall be subject to GIT regulations.

When there are multiple Creators, some or all may have ownership rights subject to the tests described above, but the parties are encouraged to enter into a mutually signed written agreement to clarify their respective rights and responsibilities, in accordance with guidance in Section [50.8](#).

#### E. Other Efforts

Ownership rights to Intellectual Property developed under any circumstances other than those listed in Section [50.6](#) A-D of this policy shall be determined on an individual basis and approved by the President or his or her designated representative.

### **50.7 Administrative Procedures**

Georgia Tech Research Corporation (GTRC) is responsible for implementation of the Institute's Intellectual Property policy other than the management of Trademarks pertaining to the name, emblem, insignias and logos of the Georgia Institute of Technology, which Trademarks shall be managed by the Georgia Tech Foundation.

To assure protection and potential Commercialization, Georgia Tech faculty, staff, and students are encouraged to disclose Intellectual Property to GTRC in a

timely manner prior to any disclosure outside of Georgia Institute of Technology. GTRC will work with the Colleges, GTRI, the Department of Distance Learning, Continuing Education, and Outreach, and other involved units to ensure that there are adequate tools in place to facilitate the disclosure of all types of Intellectual Property and that these are received by GTRC in a timely manner. There is a long history of disclosure of patentable technology but attention must also be paid to documenting and managing other types of Intellectual Property.

GTRC may be obligated to report certain Intellectual Property to federal and other sponsors of research. Georgia Tech faculty, staff, and students should discuss the extent and nature of such disclosures with GTRC.

GTRC generally seeks Intellectual Property protection for potential licensing purposes only. Intellectual property protection for reasons other than such purposes must be funded by the relevant school, laboratory, center, or individual Creator.

GTRC will advise the Creators of its decision to accept Intellectual Property for administration within ninety (90) days of receipt of the completed Intellectual Property disclosure. Should GTRC decide not to accept the Intellectual Property for administration, or if it at any future time decides not to take any further action in marketing, or encouraging further development as a prelude to marketing, the Intellectual Property, it shall within thirty (30) days of such decision notify the Creators and, should the Creators so request, and if able to do so, release the Intellectual Property to the Creators.

On acceptance by GTRC of any Intellectual Property for administration, the Creators shall do all things necessary and comply with reasonable requests by GTRC, to assist in obtaining Intellectual Property protection and/or marketing the Intellectual Property. Such assistance will be at no cost to the Creators.

No Institute personnel shall take any action to seek Commercialization of, or receive any benefit from, any GTRC-owned Intellectual Property other than in accordance with the Georgia Institute of Technology Intellectual Property policy.

**50.7.1 Distribution of Income**

The first Two Thousand Five Hundred Dollars (\$2,500) of gross licensing income derived from the Commercialization of any Intellectual Property shall be paid to the Creators if they have filed a disclosure with GTRC in accordance with these procedures. Thereafter, the net income, computed on a cumulative basis, shall be distributed as follows:

	Next \$500 K	\$501 K - \$1,000 K	> \$1,000 K
Inventor	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.

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. When more than one Creator is listed, the allocation will be determined by the percentage of ownership listed in the original disclosure. That allocation may only be altered for future distribution of royalties or other proceeds by written request signed by all Creators listed on the original disclosure. In the case of the death of a Creator, any payment due, or which would have been due, to such Creator shall be made to the Creator's estate.

Reinvestment funds are intended to seed additional research and development of new Intellectual Property. Distribution of a portion of royalties, and similar or related income, for reinvestment will be made in the form of a GTRC grant to the primary home unit of the principal Creator for use in funding additional research and development or other scholarly activities at the unit level.

The portion of royalty and similar or related income that accrues to GTRC shall be used to partially offset the costs of technology transfer or dissemination not allocable to specific licensed Intellectual Property and to support the research and teaching infrastructure and programs of GIT.

### **50.7.2 Equity Stakes**

In the event that GTRC accepts equity in a start-up company as part of consideration for a license to technology or to any other Intellectual Property, the Creators may be entitled to receive a portion of the equity shares received from the company by GTRC. A Creator may participate, subject to the GIT Conflict of Interest Policy, in the formation of a company to commercialize Intellectual Property that is licensed from GTRC and hold equity in the resulting start-up company. However, a Creator who accepts an equity interest of any form or size from a licensee shall receive no portion of any equity shares received from the licensee by GTRC.

Creators choosing not to accept an equity interest directly from a licensee will receive a portion of the equity shares received by GTRC according to the following schedule: a) If there is a single Creator then one-third (1/3) of the total shares received by GTRC, the Creator's portion, will be distributed to that individual. GTRC will carry the remaining two-thirds (2/3) of the shares received, the GTRC portion, until sale at a date to be determined later. b) If there is more than one Creator and all Creators choose not to accept an equity interest directly from a licensee, then one-third (1/3) of the total shares received by GTRC, the Creators' portion, will be distributed to all Creators on a pro-rata basis based on



their relative contributions to the discovery and development of the Intellectual Property in question. GTRC will carry the remaining two-thirds (2/3) of the shares received, the GTRC portion, until sale at a date to be determined later. c) If there is more than one Creator and one or more Creators choose to accept an equity interest directly from the licensee and one or more choose not to participate in the formation of the company (i.e. not accept shares directly from the company), then the normal Creators' portion of the total shares received by GTRC (that is, the one-third (1/3) portion in a) and b) above) is reduced by the contributions of those Creators choosing not to receive shares from GTRC relative to all Creators. The remaining Creators' portion of shares received by GTRC is distributed to those Creators based on each of the remaining Creators' contributions relative to those remaining Creators. The GTRC will obtain all remaining shares. (Example: There are 2 Creators with a mutually agreed upon split of 60% contribution by Creator#1 and 40% by Creator #2. Creator #1 takes equity directly from the company and GTRC negotiates for a total of 100 shares of equity with the company. The normal 33% Creators' share would be 33 shares. Since Creator #1 chose to take equity directly from the company, he would not receive any GTRC received shares. Creator #2 would get  $.33 \times 40 = 13.2$  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 67 shares.) GTRC will carry its portion of the shares received until sale at a date to be determined later.

Upon sale of any equity shares received by GTRC, the net proceeds received will be kept by GTRC and will be distributed to the sponsoring unit for reinvestment according to the chart in Section [50.7.1](#) for the unit and GTRC.

The distribution of royalties to the Creator(s), to reinvestment, and to GTRC will continue regardless of the equity choices made by the Creators.

### **50.7.3 Retention of Ownership**

Ownership of Intellectual Property Rights will normally be retained by GTRC. This is to ensure that all licensable knowledge created or invented will be available for public use. Exclusive licensing agreements by GTRC will contain a due diligence provision to require the license to revert to GTRC within a reasonable period of time if the licensee does not make the Intellectual Property available to the public.

## **50.8 Fair Use and Other Protections Relating to Copyrights**

Faculty members may from time to time participate in creating a copyrighted work, which may be owned by GTRC in accordance with Sections [50.5](#) and [50.6](#). That notwithstanding, such faculty members have the right

- To make modifications to their parts of such works and to prepare derivative works therefrom; and
- To use and present said derivative works, whether or not the faculty member is still employed by GIT, subject to the GIT Conflict of Interest Policy.

GIT recognizes the need and has the right to require that the quality and freshness of Copyrighted Materials used in its programs be maintained. It will make every reasonable effort to involve faculty, staff, and student Creators of copyrighted works in on-going quality assurance and improvement of the works they created. GIT shall, in any case, recognize and acknowledge the Creators of any material used in university programs, subject to the permission of the Creators.

Within the GIT community, parties involved in the development of copyrightable materials (Georgia Tech faculty, staff, students, and appropriate units of Georgia Tech) may enter into mutually signed written agreements to determine the particular terms and conditions of these policies applicable to specific developments. GTRC shall administer the execution of these agreements.

Students have rights to hold copyrights, subject to the criteria governing copyright ownership as set forth in Section [50.6](#). Work performed by students, working in their individual capacity (i.e., not within the scope of employment by Georgia Tech or with one of its employees in an official capacity), in the normal fulfillment of GIT's academic requirements, is not presumed to constitute an institute-assigned work. However, work towards theses and dissertations, and for certain classes may be supported by external sponsors, and agreements between GIT and such sponsors may convey copyrights and/or other rights to the sponsors.

Student work may also be subject to additional GIT, College, School, or Department policies to support normal educational evaluations and functions. For example, GIT may require rights to reproduce and make a limited distribution of copies of some works such as theses and dissertations, whether in paper or electronic form.

Names and Trademarks associated with and belonging to GIT may not be used except by permission of the Office of Institute Communications and Public Affairs, acting on behalf of the Georgia Tech Foundation. Members of the GIT community may identify themselves as such, in ways customary in scholarly work, but any such use shall seek to avoid inappropriate implications of sponsorship or endorsement by GIT, and where necessary, include specific disclaimers.

Members of the GIT community are cautioned to respect and observe the rights of other copyright owners, in accordance with fair use provisions of current U.S. copyright law. Similarly the rights of any sponsors involved in the development of Intellectual Property must be respected and protected appropriately.

### **50.9 Appeals and Conflicts**

Institute personnel shall have the right to appeal from decisions of the Intellectual Property Committee. Appeals shall be made to the President of the Institute. Institute personnel may, in accordance with [Article VIII](#) of the Bylaws of the Board of Regents, apply to the Board of Regents for a review of the decision of the President.

### **50.10 Changes in Policy**

This policy may be changed by the President on the recommendation of the Intellectual Property Committee, with the endorsement of the Faculty Executive Board, or on his or her own initiative, after consulting with the Intellectual Property Policy Committee and the Faculty Executive Board.

### **50.11 Order of Precedence**

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

## **51. OPEN MEETINGS POLICY**

The meetings of all bodies of the Institute, except those in which personnel matters or matters of academic evaluation are under consideration, shall be open to the public.

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

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## **52. SMOKING POLICY**

The United States Surgeon General has, on numerous occasions, presented evidence of the health risks associated with smoking and also with simply being around persons who are smoking. Georgia Tech recognizes its responsibility in providing a safe work environment for all of its faculty, staff, and students. Therefore, Georgia Tech adopts the following policy providing a smoke-free work environment.

"Each Georgia Tech unit will publicly designate its buildings and facilities as non-smoking areas, except for specific private offices or areas which may be designated at the discretion of the unit director. (A Georgia Tech unit may choose to designate its entire facilities as a no smoking zone.) Areas where smoking may be permitted must be in conformance with the fire code. Non-smokers may not be required to enter areas where smoking is permitted. Public meeting areas, public offices, classrooms, and stairwells may not be designated as smoking areas. In designated smoking areas particular attention should be paid to airborne combustible materials that might intrude into a non-smoking area.

Units are, furthermore, encouraged to support their staff's efforts to quit smoking. Suggested active support could include providing time and funding to attend courses aimed at assisting this process. Future consideration should be directed toward installing improved ventilation systems to minimize the spread of smoke within buildings where smoking is permitted."

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

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### **53. PROCUREMENT**

Purchasing and Accounts Payable policies and procedures can be found in the Georgia Tech Administrative Policies and Procedures Manual under Business and Finance, Section 5.0 Purchasing and Accounts Payable at: <http://www.admin-fin.gatech.edu/business/>.

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Source: Office of Planning, Business, and Finance. Date: 8/2003

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## **INFORMATION SERVICES**

### **54. INFORMATION SERVICES**

Sections [55](#) and [56](#) describe the major information services of the Georgia Institute of Technology and the policies associated with them.

### **55. LIBRARY SERVICES**

#### **55.1 Faculty Loan Privileges**

Books are borrowed for one academic semester. They are recalled immediately for class reserve, or after three weeks if needed by other users. (See below, Sections [55.2](#) and [55.3](#), for detailed policies governing physical inventory of faculty charges and faculty recalls.) Journals, conference proceedings published in the last ten years, and microfilms do not circulate. Copies can be made in the Library's Copy Service or through Library Document Delivery (See Section [55.5](#) below). All copying must be done within the provisions of the U.S. Copyright Law.

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#### **55.2 Policy Governing Physical Inventory of Faculty Charges**

All library materials checked out to Georgia Tech faculty/staff are due at the end of the semester in which they are borrowed. For the annual inventory, the Library will issue a printout of items charged, to be returned or renewed by a specific deadline. Items may be returned through Library Document Delivery or in person. Faculty with more than twenty renewal items may make an appointment with the Circulation Department for an office visit ((404) 894-4500).

Those faculty/staff not responding will receive a second printout requesting renewal. The Library staff will follow up with telephone contacts and specified deadlines. If a faculty/staff member fails to respond by the second deadline, the Library sends an invoice to him/her for the replacement and processing costs of the non-returned items. In addition, the Dean and Director of Libraries, after consulting with the faculty/staff member's supervisor, is authorized to suspend Library privileges, including circulation of materials, Library Document Delivery, access to GTEL®, interlibrary loan, and interlibrary use.

The suspension of Library privileges will stay in effect until all items are accounted for through renewal, return, or replacement. Revocation of Library

privileges will be communicated to the faculty/staff member and to his/her supervisors, including the appropriate Vice President and the President.

### **55.3 Policy Governing Faculty Recalls**

Library material is checked out to Georgia Tech faculty/staff until the end of the semester. Any item is subject to recall for another borrower after three weeks. Items needed for class reserve are subject to immediate recall. Recall notices, both e-mail and hard copy, are sent to the faculty/staff borrower on the twenty-second day of the loan period to return the item. A second recall notice is issued seven days later. If the recalled item is not returned, the Dean and Director of Libraries, after consulting with the supervisor of the faculty/staff member, is authorized to suspend Library privileges including circulation, Library Document Delivery, access to GTEL®, interlibrary loan, and interlibrary use.

Reinstitution of suspended Library privileges occurs only after the requested item is returned. Revocation of Library privileges is communicated to the faculty/staff member and to his/her supervisors, including the appropriate Vice President and the President.

### **55.4 Georgia Tech Electronic Library**

GTEL® (Georgia Tech Electronic Library) is a primary tool for locating information resources. GTEL® is accessed on workstations connect to GTNET or via modem; the address is <http://www.library.gatech.edu>. GTEL® includes GTEC (the Library's catalog of books, journals, reports, conference proceedings), Galileo, other library catalogs, over 200 article citation databases, full-text databases, electronic reserves, links to selected Internet resources, and information about Library services. All subject areas are covered including general topics, engineering, science, and business. The Library also has a variety of CD-ROM databases that can be accessed in the Library and not remotely. The Library's homepage also provides access to Galileo, Georgia Libraries and Learning online. Galileo, funded by State Lottery money through the Board of Regents, provides access to many databases, indexes, and full text.

Instructions for using GTEL® (including log on procedures) are available at any public service desk in the library. Some databases are password protected or covered by U.S. Copyright Law and may be used only by Georgia Tech students, faculty, and staff for instruction and research purposes. No portion or section of any database may be copied, transferred, distributed, published, or sold in any form. Records may be printed or downloaded for personal use only.

The Library owns only a small portion of the items covered in GTEL®. See Section [55.5](#) for methods of acquiring material not available at Tech.

### **55.5 Document Delivery**

Library's Document Delivery is twice daily pick-up and delivery service of Library materials to academic departments and GTRI units. Each department has a designated drop-off/pick-up location. The service is operated by the Library's Document Delivery Department. Requests may be placed through

GTEL®, the Library's home page, campus mail, telephone ((404) 894-4511), FAX ((404) 894-8190), email (delivery@library.gatech.edu), and in person.

Copies of articles can be transmitted by FAX to any campus FAX machine. To return books to Library Document Delivery, place the books in a campus mail envelope addressed to Library Document Delivery. The envelope should be placed in the assigned Library Document Delivery pick-up location. Failure to follow these procedures results in possible theft and damage to library materials. Faculty/staff members should follow these important guidelines to insure safe return of library materials.

### **55.6 Information, Reference, and Research Services**

Information and reference service desks are located on the first three floors of the Library's East building. Information and reference services also are provided in the Architecture Library, first floor, Architecture Building. An information consultant is assigned to each teaching department and GTRI for support in research and instruction. To find the name of a consultant, call the Reference Department at (404) 894-4529 or consult the Library's home page.

Information consultants also provide instruction and demonstrations for classes, groups, or individuals using GTEL® and customized instruction geared to specific

### **55.7 Materials Not Available at Georgia Tech**

The Library provides several ways of obtaining materials it does not own. Commercial document delivery services can be the fastest way to obtain needed journal articles and conference proceedings. Some other options are:

- A. The full text of articles from more than 1,500 general, business, and sci/tech periodicals are available on GTEL® and Galileo.
- B. Georgia Tech faculty and staff can borrow circulating materials directly from the general libraries of GSU, Emory, and University of Georgia using their Tech ID.
- C. To access the libraries of other University System and University Center libraries, obtain an interlibrary use card from the Circulation Department ((404) 894-4500). Interlibrary Loan is available through Document Delivery Department. Call (404) 894-4511 or email (delivery@library.gatech.edu) for procedures and additional information.
- D. Reciprocal Faculty Borrowing Program of the Research Library members of OCLC provides borrowing privileges and on-site access to many other U.S. research libraries. For information and borrower cards, call the Reference Department at (404) 894-4529.

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Source: Dean and Director of Libraries. Date: 8/2003

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## **56. INFORMATION TECHNOLOGY**

The Office of Information Technology (OIT) provides technology leadership and support to the Georgia Institute of Technology. In its unique role, OIT serves as the primary source of information technology and telecommunications services and support for students, faculty, staff, and researchers. Services and resources range from operating and maintaining the Georgia Tech Network, which provides Internet connectivity to the entire campus, to protecting the integrity of the Institute's data and critical administrative systems.

OIT consists of six directorates, all under the leadership of John Mullin, associate vice provost, associate vice president and chief information officer for Information Technology and Ron Hutchins, Chief Technology Officer, in charge of Academic Research Technologies.

### **56.1 Academic & Research Technologies (ART)**

In collaboration with institutional and industrial technology development groups, ART is tasked with creating and maintaining the large-scale technology architecture on the Georgia Tech campus. The directorate is also responsible for facilitating campus and external partnerships and pilots consistent with the future development of Georgia Tech's architectural concepts and principles, and partnering with other groups in the pursuit of funding for projects in educational technologies, networking, high performance computing, video, and security. Specifically, ART oversees the design, implementation, operation, and support of the Georgia Tech network, the implementation of classroom technologies, and the management of audio/visual technology supporting teaching, learning, and research activities.

### **56.2 Customer Support & Communications (CS&C)**

CS&C is responsible for the initial interaction with campus constituents, addressing services related to computer hardware, software, consulting, and contractual support. These services include the central distribution of multiple software applications. The directorate is also responsible for providing timely, accurate, and professional information technology related communications to OIT employees, campus groups, and external groups as appropriate. CS&C manages the Customer Support Center, which provides users with computer account and desktop support, as well as other OIT services, and the Distributed Support program, which provides dedicated, on-site computer and network support for academic, research, and administrative campus units.

### **56.3 Enterprise Information Systems (EIS)**

EIS is responsible for designing, implementing, and supporting Georgia Tech's administrative information systems; developing and maintaining the Institute's data repository; researching and evaluating new software tools; and providing technical project management and support to all administrative system customers.



#### **56.4 Information Security (IS)**

Information Security is responsible for educating the campus community about security related issues, assessing current policies and developing new policies, assisting in strengthening technical measures to protect campus resources, and developing mechanisms to react to incidents and events that endanger the Institute's information assets. The administrative responsibilities of IS include establishing and maintaining a security organization, and developing an integrated security program that supports the accomplishments of the Institute's strategic goals and priorities.

#### **56.5 Operations and Engineering (O&E)**

O&E is responsible for the design, development, operation, management, and maintenance of critical computing systems that power Georgia Tech. Other services include providing multi-media classroom support, telecommunications support, and web hosting to the campus.

#### **56.6 Policy & Strategy (P&S)**

P&S coordinates OIT's on-going strategic planning process. The organization provides a collaborative process for identification, prioritization, tracking, and organization-wide change control of OIT initiatives, assuring that IT policy development and maintenance keeps pace with the demand for the use and delivery of sustainable services. The organization shepherds a small portfolio of initiatives that are significantly multi-directorate in scope.

#### **56.7 Resource Management (RM)**

RM provides centralized management of OIT's budgetary, purchasing, facilities, and human resource functions. RM manages Georgia Tech's electronic data processing (EDP) approval process, revenue, and expense accounting processes related to cost centers, property management, and the functions relating to personnel and policies of the Institute and Board of Regents.

The staff also assists OIT's chief information officer with coordination of OIT resources related to its long-range strategic plan, and manages Printing and Copying Services (PCS), a full service printing facility located at 811 Marietta Street.

For more information on OIT, please visit <http://www.oit.gatech.edu>.

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Source: Office of Information Technology. Date: 8/2003

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