Legal
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Confidentiality/Non-Disclosure Agreements

For more information about Confidentiality/Non-Disclosure Agreements, please see the Office of Legal Affairs website:

- Confidentiality/Non-Disclosure Agreements

Conflict of Interest

Conflict of Interest is a broad topic that affects faculty, staff and students. For more information, see:

- Conflict of Interest Management Office
- Faculty Conflict of Interest Policy- Faculty Handbook 5.6. Conflict of Interest and Outside Professional Activity Policy
- Other Conflict of Interest Policies

Consulting

Consulting Agreements

For general information about Consulting Agreements and links to resources, please see the Office of Legal Affairs website:

- Consulting Agreements

Consulting/Expert Witness Services and Potential Conflicts of Interest

Last Revised: 2013-08-00T00:00:00
Review Date: 2016-08-00T00:00:00
Policy Statement:
For more information about Consulting/Expert Witness Services and Potential Conflicts of Interest, please see the Office of Legal Affairs website:

- Consulting/Expert Witness Services

Policy History:

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<th>Revision Date</th>
<th>Author</th>
<th>Description</th>
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<tr>
<td>08-2013</td>
<td>Policy Library</td>
<td>Fixed Consulting/Expert Witness Services external link</td>
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Contracts

For information about:

- **Contracting Issues - Legal Aspects**
- **Purchasing Contracts**
- **Research Contracts**
- **Presidential Signature Authority**

Export Issues and International Travel

For information about Export Issues and International Travel, please see:

- **Export Issues - Legal Aspects**
- **Research Support Export Control**

Intellectual Property and Copyright

For information about Intellectual Property and Copyright, please see:

- **Faculty Handbook 5.4 Intellectual Property Policy**
- **Intellectual Property Assignment Agreement**
- **Copyright-Legal Aspects**
- **Copyright-Office of Information Technology**
  - **Copyright Infringement Procedure**
  - **Copyright Fair Use Doctrine**
- **Patents-Legal Aspects**

Minors on Campus

- **DRAFT: Mandatory Reporting of Child Abuse Policy**
- **DRAFT: Child Abuse Prevention Policy**

For additional information regarding Minors on Campus, please see the Office of Legal Affairs website here.

Open Records Act Policy

**Type of Policy:** Administrative  
**Effective Date:** 2012-09-00T00:00:00  
**Last Revised:** 2012-09-00T00:00:00  
**Review Date:** 2015-09-00T00:00:00  
**Policy Owner:** Office of Legal Affairs  
**Contact Name:** Kate Wasch  
**Contact Title:** Managing Attorney  
**Contact Email:** asklegal@gatech.edu

**Reason for Policy:**
As a public institution, Georgia Tech is subject to the Open Records Act, O.C.G.A. § 50-18-70 et seq. The law requires that Georgia Tech make available for public inspection public documents within three business days of receiving a request. The purpose of this policy and its procedures is to ensure compliance with the law.

**Policy Statement:**
Georgia Tech must respond to Open Records Act requests as required by the Open Records Act, O.C.G.A. § 50-18-70 et seq. (the “ORA”). With limited exceptions, Georgia Tech must respond to such requests within three business days. In response to an ORA request, Georgia Tech will allow the requester to view public documents
and, for a fee, make copies.

The Office of Legal Affairs ("OLA") has been designated by the President of Georgia Tech as the office responsible for responding to ORA requests on behalf of the custodian of the records. Departments and school, as custodians of Georgia Tech’s records, must work in cooperation with OLA to ensure Georgia Tech’s compliance with the ORA. The custodian of the records remains responsible for compliance with the ORA and for any civil or criminal penalties imposed for failure to comply.

Departments, schools, faculty or staff who receive an ORA request from any person, or an ORA inquiry from OLA, shall respond promptly, following the procedures in this policy.

Scope:
The Policy applies to all Georgia Tech departments, schools, faculty, and staff.

Policy Terms:
Public Records
All documents or other records (including video, audio, or electronic records) prepared or maintained by Georgia Tech, as well as documents prepared or maintained by its employees as part of their job responsibilities, are subject to the ORA. For example, employee notes of official University business (e.g., notes of meetings) are public, not personal, documents. The ORA includes "computer based or generated information" within the definition of a "public record." This includes, for example, e-mail and logs kept on a server.

Custodian
The person responsible for maintaining the records in the ordinary course of business.

Procedures:
See Office of Legal Affairs website: Procedures for Responding to ORA Requests

Responsibilities:
The Office of Legal Affairs
OLA has been designated by the President of the Institute as the office responsible for responding to ORA requests.

Enforcement:
Any person who knowingly and willfully fails to respond to a written ORA request may be found guilty of a misdemeanor criminal act, and fined up to $1,000 for the first violation. Additional civil and criminal penalties may also be imposed.

Violation of this Georgia Tech policy may result in disciplinary action, up to and including termination of employment.

Policy History:

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<th>Description</th>
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<tr>
<td>04-17-2012</td>
<td>Office of Legal Affairs</td>
<td>Update per change in ORA law.</td>
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<tr>
<td>10-12-2012</td>
<td>Office of Legal Affairs</td>
<td>Established a formal written policy.</td>
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Presidential Signature Authority

Type of Policy: Administrative
Effective Date: 2011-07-00T00:00:00
Last Revised: 2012-09-00T00:00:00
Review Date: 2015-09-00T00:00:00
Policy Owner: Office of Legal Affairs
Contact Name: Patrick McKenna
Contact Title: Vice President, Legal Affairs and Risk Management
Contact Email: pat.mckenna@carnegie.gatech.edu
Reason for Policy:
This policy addresses Presidential authorization to sign specific contracts on behalf of Georgia Tech.

Policy Statement:
The Board of Regents of the University System of Georgia (BOR) Policy 2.5 Presidential Authority and Responsibility states:

The president of each institution, or the president’s designee, shall have the authority to execute, accept, or deliver, on behalf of the Board, the following types of research agreements, settlement agreements, service agreements, and reciprocal emergency law enforcement agreements affecting his/her institution:

1. Research or service agreements whereby the institution concerned, for monetary compensation or other good and valuable consideration, agrees to perform certain institution-oriented research or other personal services within a time period of one (1) year or less.
2. Agreements between USG institutions and hospitals or other organized medical facilities, both public and private, located within the State of Georgia, whereby the hospital or medical facility concerned agrees to provide clinical services to nursing and other students enrolled in nursing and allied health programs at the institution concerned. Said agreements shall be effective for one year with the option of annual renewal as specified therein and shall be subject to cancellation by either party.
3. Reciprocal emergency law enforcement agreements between USG institutions and county and municipal authorities, as authorized by the Georgia Mutual Aid Act, as amended (BoR Minutes, 1993-94, pp. 63-64).
4. Settlements of grievances and complaints, including those filed by state and federal agencies, that do not include a monetary commitment of more than $100,000. Notice of settlements shall be filed with the University System Office of Legal Affairs (BoR Minutes, May 2006; April, 2007).
5. Any agreements necessary for the day-to-day operation of the institution (BoR Minutes, April, 2007)."

Per this BOR policy, the President of Georgia Tech must specifically delegate authority for a Georgia Tech employee to enter into these types of contracts that bind Georgia Tech. Such delegation must be in writing and the recipient official may not further delegate the authority.

Unless an individual has written authority to execute the specific types of contracts mentioned above, that individual must refrain from signing these contracts in the name of Georgia Tech. Under Georgia state law, individuals who sign without authority may incur personal liability under any contracts they sign.

If an individual needs assistance to determine who is authorized to sign a specific document, the individual should contact Georgia Tech’s Office of Legal Affairs (asklegal@gatech.edu).

Scope:
This policy applies to all Georgia Tech faculty, staff, and students.
Policy Terms:
Contract
For purposes of this topic, a contract is an agreement between Georgia Tech and another, whether or not it is titled a contract. It includes any type of agreement made on behalf of Georgia Tech in which the parties make legally enforceable commitments. Other terms sometimes used to refer to a contract include, but are not limited to, agreement, letter of agreement, letter of intent, memorandum of understanding, consortium agreement, operating agreement, and equipment loan.

Procedures:
Determining Signature Authority
Office of Legal Affairs will help determine who is authorized to sign a specific agreement or contract.

For information about signature authority for Procurement, Facilities, and Information Technology, please contact the responsible office.

Enforcement:
Violation of this policy may result in disciplinary action, up to and including termination of employment.

Policy History:

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<tr>
<td>07-18-2011</td>
<td>Legal Affairs &amp; Risk Management</td>
<td>New Institute Policy</td>
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<td>09-25-2012</td>
<td>Legal Affairs &amp; Risk Management</td>
<td>Policy statement edited to limit scope to Presidential signature authority</td>
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Software Licenses

For information about Software Licensing, please see:

- Software Licensing and Administration
- Software Licenses - Legal Aspects