**Open Records Act**

As a state university, Georgia Tech is subject to the provisions of the [**Georgia Open Records Act**](https://law.georgia.gov/key-issues/open-government/law) (ORA). The ORA provides that all citizens are entitled to view the records of state agencies on request and to make copies for a fee. **The ORA requires that Georgia Tech produce public documents within three business days.**

* Institute Communications, through their Open Records Officer, receives and responds to all requests for inspection and copy of records held by the Institute.  In responding to such requests, the Open Records Officer acts on behalf of the campus custodian of the requested records.   The custodian of the records remains responsible for compliance with the ORA.
* **Requests for inspection and copying of records under the ORA may be made verbally or in writing.**  A request applies to records in existence at the time of the request and a response will not include documents not in existence when the request is received.
* If individual employees are named in the request, those employees are advised that the request has been received and the Open Records Officer will work with the custodian of the requested records to respond.  Exceptions to this notification provision may be made by the Open Records Officer for reasonable cause.
* Requests, other than those made on behalf of news media, for records of the Georgia Tech Police Department (GTPD) that were created and maintained by GTPD for purposes of law enforcement are forwarded to GTPD.  GTPD responds directly to the requestor and provides a copy of the response and any responsive records to Legal Affairs for its records.  Exceptions to this practice may be made by a Managing Attorney for reasonable cause.
* The Open Records Officer will identify and forward all other requests to the records custodian for the specific campus unit.
* The Open Records Officer may maintain copies of frequently requested records, in which event the records custodian is asked to confirm that the copy held by the Open Records Officer is current.
* **An initial response to the request must be sent by the Open Records Officer within three business days of receipt.  All requests should be immediately forwarded to****openrecords@gatech.edu****upon receipt.**

To read the full [***Open Records Act Request Policy***](https://policylibrary.gatech.edu/legal/open-records-act-policy), please see the [***Policy Library***](http://www.policylibrary.gatech.edu/).

The [**Freedom of Information Act**](http://www.usdoj.gov/oip/foia_updates/Vol_XVII_4/page2.htm) (FOIA) is the federal government's equivalent of the ORA and applies to requests for information made to federal agencies. Each agency may have its own rules with regard to handling FOIA requests. The agency is responsible for meeting its FOIA responsibilities. If you have received sponsored funding from the federal government, you may be asked by the federal agency to review a FOIA request to identify whether any of the records are exempt. Upon request, Legal Affairs may help you with this determination.

Requests for student records are governed by the Family Educational Rights and Privacy Act (FERPA). See [**FERPA**](https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html)

##### ****Resources:****

[**FERPA vs. Public Records Laws (NACUANOTES:  Vol. 14, No. 5 - June 6, 2016)**](http://www.legal.gatech.edu/system/files/nacua_notes/ferpa2016-nacuanote.pdf)

[**Who Can Obtain Access to Research Data?  Protecting Research Data Against Compelled Disclosure**](https://legal.gatech.edu/system/files/nacua_notes/nacuanotes-nobodys_business_0.pdf) (NACUANOTES:  Vol. 11, No. 7 - February 27, 2013)

[**The Revised FERPA Regulations and Increased Access to Personally Identifiable Information**](https://legal.gatech.edu/system/files/nacua_notes/revisedferpa.pdf) (NACUANOTES:  Vol. 11, No. 9 - April 5, 2013)

**Old Legal Topics Notes:**

* **Record Retention: Forwards to USG Records Retention Schedules:** [**https://www.usg.edu/records\_management/schedules/**](https://www.usg.edu/records_management/schedules/)