Changes to the Open Records Act

What You Need to Know

As you may know, Georgia Tech receives hundreds of Open Records Act requests each year. On April 17, 2012, Gov. Nathan Deal signed legislation making numerous amendments to the Open Records Act and the Open Meetings Act, effective immediately. The changes to the law most likely to affect you are summarized below.

- The charge per page for paper copies has been reduced from $0.25 to $0.10 per page.
- The Act expressly allows Georgia Tech to charge for time spent removing confidential information from otherwise public records.
- If the estimated cost to produce the requested records exceeds $25.00, Georgia Tech may require an agreement to pay before searching for responsive records. If the estimated cost exceeds $500.00, Georgia Tech may require payment before beginning to search for responsive records.
- Georgia Tech is expressly permitted to withhold documents protected by FERPA.
- Tests, scoring keys and related materials are exempt from production under the Act, so long as the test will be given in the future.
- If some, but not all, of the records requested are available within three business days after a request, the portion that can be produced within three days must be produced in that time.
- When it will take Georgia Tech more than three business days to retrieve the requested records, Georgia Tech may identify any applicable exemptions within three days after retrieving the records.
- The enforcement provisions of the Act are not available if a request is made orally, but only when the request is made in writing.

The Office of Legal Affairs remains the office designated by the President to respond to requests for records under the Open Records Act. If you receive a request for records, please notify the Office of Legal Affairs at 404-894-4812 or asklegal@gatech.edu immediately.