

**Superintendent's Regulation 8636-R
ARTIFICIAL INTELLIGENCE**

CP

Approved Upon Superintendent's Initials

6/21/2024

Date

1. OBJECTIVE

This regulation provides guidance for the use of artificial intelligence by staff and students.

2. PREFACE

The use of artificial intelligence (AI) has permeated aspects of everyday life, including school district operations, such as email spam filters, navigation apps, search engines, speech recorders, spelling and grammar checkers, and word processing auto-complete suggestions, often embedded into commonly used software. Generative artificial intelligence is a type of AI technology that can quickly generate large amounts of high-quality, convincingly authentic, human-like content, such as language, computer code, data analysis, images, video, and audio, in response to a prompt, based on data that it was trained on.

The widespread availability and use of generative artificial intelligence (GenAI) presents both challenges and opportunities for the district. Care must be taken to address and mitigate the challenges, and maximize the opportunities, to improve student learning and district operations.

3. ACKNOWLEDGEMENTS

The district acknowledges that many students are able to access GenAI outside of school and may be able to use GenAI to complete school assignments. However, not all students are able or willing to do so and should not be penalized for not using GenAI.

The district also acknowledges that when GenAI tools are used responsibly, they have potential value.

The district further acknowledges that the tools to detect the use of GenAI accurately, consistently, and fairly may not be available, may quickly become obsolete, or may be biased against English Language Learners.

The district also acknowledges that the data used to train GenAI models is not usually made public, may be biased, and may violate copyright laws. The responses generated by GenAI may be biased, wrong, or violate copyright laws.

4. GUIDELINES

The district's existing policies/regulations 1950/1950-R (Acceptable use of district network) and 4526/4526-R (Internet Policy) applies to the acceptable use of the District's network in ways that foster appropriate instructional activities. Additionally, these new guidelines are being put in place:

1. The Superintendent supports including the principles of responsible and effective use of GenAI, as it relates to Personally Identifiable Information (PII) conforming to Education Law 2-d, to the curriculum as well as life outside of or beyond school.
2. Students are responsible for their own work and should follow academic expectations set forth in Board Policy 1400 in the Code of Conduct.
3. The Superintendent respects the professional capacity of the instructional staff to assign work that is less susceptible to student use of GenAI to circumvent learning and allow for multiple methods for students to demonstrate competence and understanding.
4. Instructional staff must be clear about their expectations for student use of GenAI in assignments. Staff who suspect a student has not done an assignment on their own can request that the student demonstrate their knowledge of the material in other ways, to the same extent they already do.
5. Implementation or adoption of new GenAI tools should include representation from the Information Management and Technology division.
6. The use of GenAI tools outside of approved district tools must first be approved by Information Management and Technology. If Personal Identifiable Information (PII) is involved in the use, it must be also be approved by the Data Privacy Officer.

Any student use of unapproved GenAI tools in schools, on school networks/computers, or for school purposes is prohibited. If a student uses Information Management and Technology approved GenAI for curriculum inside or outside of school, the student must be compliant with applicable district policies, and Education Law 2-d and its regulations, particularly whenever student Personally Identifiable Information (PII) is disclosed, including through third-party agreements where applicable.

Staff must consult with the district's Data Privacy Officer to determine compliance with Education Law 2-d. Staff must also be mindful that some GenAI tools are free, and others are not, that some GenAI tools are not permitted to be used by those under certain ages, or require parent permission, and that some students and/or parents may not wish to use GenAI tools or input their work into them.

Employees may utilize GenAI tools consistent with this policy, District policy 1950 (Acceptable use of District Network), and District policy 4526 (Internet policy) to complement and/or improve teaching or work output. Staff remain responsible for all work they produce, and must always review any work generated by GenAI. Any employee's use of GenAI in schools, on school networks/computers, or for school purposes must be compliant with Education Law 2-d and its regulations, particularly whenever student Personally Identifiable Information (PII) is implicated, including through third party agreements where applicable.

5. REQUIREMENTS

Due to the fact that any information used as input in a GenAI tool may be used by that system and potentially made available to other users of the system, district users must not input any sensitive, copyrighted, proprietary, or confidential district information, consistent with applicable state and federal laws, and district policies, including but not limited to the following:

1. Student information: anything that would be protected by FERPA (see policy 5500) or Education Law 2-d.
2. Staff information: anything that would be protected by Education Law 2-d, or other confidential personnel information.
3. School district information: anything that would be withheld from a Freedom of Information Law (FOIL) request (see policy 1120).

Additionally, users of GenAI must exercise caution before inputting any work created by district students or employees. When using GenAI for school purposes, users must avoid violating copyright protections.

<u>Cross-ref:</u>	1120	School District Records
	1400	Code of Conduct
	1950	Acceptable Use of District Network
	1950-R	Student Network Acceptable Use
	4526	Internet Policy
	4526-R	Acceptable Use of District Network Regulation
	5500	Student Records

Ref: Family Educational Rights and Privacy Act, as amended, 20 USC 1232g; 34 CFR Part 99
Public Officers Law §84 et seq. (Freedom of Information Law)
Education Law §2-d
8 NYCRR Part 121

Adoption date: