

# USE OF GENERATIVE ARTIFICIAL INTELLIGENCE (AI)

## Background

The intent of this administrative procedure is to ensure the responsible and ethical use of Generative AI Tools, protection of sensitive information, and to minimize the risk of generating incorrect or biased content. AI technology is growing and evolving at a rapid pace and the potential impacts and risks are not fully understood and use of these systems can have unintended, unanticipated, and serious impacts.

To ensure continued relevance, Policy 24 - Generative Artificial Intelligence (AI), and this administrative procedure will be reviewed annually by the Secretary Treasurer, with support from the Information Technology (IT) department.

## Definitions

1. **Generative AI Tools:** means a class of artificial intelligence systems that can generate content such as text, images, video, or audio, based on a set of input data rather than simply analyzing or acting on existing data including, without limitation, large language models, chat bots, image, video, audio, coding, summarization, translation, search, and agentic tools, whether standalone or embedded in common software applications.
2. **Information and Technology Resources:** means all devices, networks, systems, and data owned, leased, or used by School District No. 5 (Southeast Kootenay) (the "District") and used or made available to users.
3. **Approved Generative AI Tool:** means a Generative AI Tool that has been reviewed and authorized by the District Information Technology department for identified District business purposes and conditions of use.
4. **District-approved Enterprise Generative AI Tool:** means an Approved Generative AI Tool made available through a District-managed account, licence, contract, or tenant, with contractual and technical controls to address privacy, security, records, and data-use requirements.

5. **Public Generative AI Tool:** means a Generative AI Tool made available to the public or to individual users outside a District-managed enterprise arrangement, including free or personally created accounts.
6. **Personal Information:** has the meaning set out in the Freedom of Information and Protection of Privacy Act (FIPPA) and includes information about an identifiable student, employee, parent/guardian, volunteer, contractor, or other individual.
7. **Confidential or Sensitive Information:** includes personal information, student records, employee records, legal or labour relations information, financial or security information, credentials, non-public business information, and any information that could reasonably cause harm if disclosed or misused.
8. **Automated Decision-Making:** means a process in which a decision, recommendation, classification, ranking, or prediction is generated by a technology system and used to affect the rights, interests, services, assessment, discipline, employment, or opportunities of an individual or group.

## Procedures

1. Scope
  - 1.1. This Administrative Procedure applies to all employees of School District No. 5 (Southeast Kootenay) and to contractors, volunteers, service providers, and other authorized users when using Generative AI Tools with District Information and Technology Resources.
2. Understanding Generative AI Tools
  - 2.1 Generative AI Tools and Large Language Models learn patterns and relationships from mass amounts of data, which enables them to generate new content that may be similar, but not identical to the underlying training data.
  - 2.2 Generative AI Tools are rapidly being incorporated into common technological tools, such as operating systems, web browsers, search engines, and other software applications.
  - 2.3 Generative AI Tools have the potential to support many District business functions and services. However, the use of Generative AI Tools by District employees must be cautioned to ensure proper attribution of generated content and handling of sensitive or public data in care and control of the District.
  - 2.4 Content produced by Generative AI Tools may include copyrighted material as AI tools may be trained by using data such as text, images, video, etc. that has been sourced without regard for its copyright or licensing terms.

- 2.5 It can be extremely difficult to determine what was used to train an AI system within a Generative AI Tool and difficult to verify whether AI-generative content is original or only a slight deviation of existing copyrighted materials.
- 2.6 Generative AI Tools can reflect cultural, economic, and social biases of the source materials, and the algorithms used to parse and process that content may also be a source of bias.
- 2.7 Further research into Generative AI Tools and feature advancements may uncover issues that require further caution and/or restrictions on its use by District employees.
- 2.8 Generative AI Tools may generate inaccurate, incomplete, fabricated, misleading, or outdated information. Outputs must not be relied upon without appropriate human review, verification, and professional judgment.
- 2.9 Generative AI Tools may create new privacy, security, records, copyright, human rights, accessibility, and safety risks, including prompt injection, data leakage, model training on user inputs, unauthorized disclosure, and inappropriate reliance on automated outputs.
- 2.10 Employees remain responsible and accountable for their use of Generative AI Tools and for any District records, communications, decisions, or work products created with the assistance of such tools.

### 3. Acquisition

- 3.1. All Information and Technology Resources must be acquired in consultation with the District Information Technology (IT) department to ensure the hardware or software receives all necessary reviews and considerations and for certainty, includes downloadable software, software as a service (SaaS), web-based services, browser plug-ins, and smartphone applications.
- 3.2. District employees may be authorized by the District IT department to use pre-approved Generative AI Tools.
- 3.3. District employees wishing to acquire Generative AI Tools or create an online account with a Generative AI Tool to perform functions related to District business must obtain prior approval from the District IT department by submitting a service request specifying the Generative AI Tool, intended use, data to be entered or uploaded, users, account type, and whether the tool will be used with personal, confidential, sensitive, or regulated information.
- 3.4. Generative AI Tools or AI capabilities incorporated into approved Information and Technology Resources must not be enabled or used with District data, records, accounts, or systems unless the District IT department has reviewed and approved the AI capability or has confirmed that the existing approval covers the AI capability and its conditions of use.

- 3.5. The District IT department may revoke authorization for any technology that adds Generative AI Tools or AI capabilities.
- 3.6. The District IT department may restrict the use of the Generative AI Tools or AI capabilities, if in their judgment, the Generative AI Tool or AI capability presents risks that cannot be effectively mitigated to comply with Policy 24 - Generative Artificial Intelligence (AI) or this administrative procedure.
- 3.7. The District IT department will maintain an approved applications register that identifies the tool, approved users, permitted purposes, permitted data classification, and conditions of use.
- 3.8. Vendor agreements for Approved Generative AI Tools must address, as applicable, District ownership or control of data, restrictions on model training or secondary use, confidentiality, security safeguards, breach notification, data residency, storage, and sub-processing locations, and data retention and deletion.
- 3.9. Employees must not use personal accounts, personal devices, or unauthorized AI integrations for District business where doing so would bypass District procurement, privacy, or approval requirements.

#### 4. Guidelines for Use

- 4.1. Once approved to use Generative AI tools, District employees are required to review all outputs of any Generative AI Tool prior to each use in any official District capacity to ensure that the output is accurate and no copyrighted material is published by the District without proper attribution, citation, sourcing, or without obtaining proper copyright or licensing terms.
- 4.2. The District employee's review process must be documented and be retained according to the appropriate records retention schedule. The documentation must demonstrate how the review was conducted and shall include the appropriate Generative AI Tool used. Low-risk brainstorming or drafting that does not involve personal, confidential, sensitive, or regulated information may be treated as transitory unless incorporated into an official District record.
- 4.3. District employees must carefully review content generated by Generative AI Tools for accuracy, potential cultural, economic, or social biases to ensure that unintended, offensive, or harmful material is either edited or removed from the content and is free of any discrimination.
- 4.4. Generative AI Tools may be used to assist with low-risk drafting, brainstorming, summarizing, editing, translation, accessibility support, and other routine administrative tasks where no Personal, Confidential or Sensitive information is entered and where the employee reviews and verifies the output before use. All other applicable requirements of this Administrative Procedure continue to apply.

- 4.5. Employees must not use Generative AI Tools as the sole basis for decisions or recommendations affecting students, employees, parents/guardians, contractors, vendors, programs, services, discipline, assessment, placement, employment, accommodations, procurement, or resource allocation.
- 4.6. Employees must not upload, paste, record, or otherwise provide personal information, confidential or sensitive information, credentials, copyrighted materials, licensed materials, or third-party information to a Generative AI Tool unless the tool and specific use have been approved for that information and purpose.
- 4.7. Employees must not create or distribute discriminatory, harassing, defamatory, violent, sexually explicit, hateful, misleading, or otherwise harmful content.

## 5. Freedom of Information and Protection of Privacy

- 5.1. Use of Public Generative AI Tools must not include any sensitive, confidential, regulated data, or any personally identifiable data.
- 5.2. Exceptions will be made when suitable District-approved enterprise controls and data protection mitigations are in place and the use has been approved for the relevant data classification and purpose.
- 5.3. District data or records, including inputs or prompts must not be used for training or parameter-tuning for Generative AI Tools outside the District's control.
- 5.4. Generative AI Tools or other AI technologies that cannot prevent District data or records from contributing to their language models are prohibited from use.
- 5.5. District employees using Generative AI Tools are required to maintain and be able to retrieve upon request, records of inputs, prompts, and outputs where retention is required under section 4.2, in a manner consistent with the District's records management and public disclosure policies under the Freedom of Information and Protection of Privacy Act (FIPPA).
- 5.6. All Generative AI Tools or AI vendors approved for District use must support the retrieval and export of all prompts and outputs (either through exposed functionality or through vendor contract assurances).
- 5.7. Employees must not enter passwords, authentication codes, API keys, security information, or other credentials into Generative AI Tools.
- 5.8. Employees must immediately report suspected privacy breaches, data leakage, unauthorized disclosure, or unsafe AI behaviour to the Secretary Treasurer.

- 5.9. Where a Generative AI Tool is decommissioned or approval is withdrawn, District departments must ensure that District data and records are exported, retained, deleted, or otherwise managed in accordance with District records, privacy, security, and contractual requirements.

## 6. District Responsibilities

- 6.1. The Secretary Treasurer, with the support of the Information Technology department, will enforce the guidelines of this Administrative Procedure. The procedure may also be imposed by any department supervisor if they believe the District employees under their supervision are in violation of this Administrative Procedure.
- 6.2. Principals and department managers are responsible for ensuring that employees under their supervision are aware of this Administrative Procedure, use only Approved Generative AI Tools for District business, and escalate questions or proposed high-risk uses before implementation.
- 6.3. A District employee's non-compliance with Policy 24 - Generative Artificial Intelligence (AI) or this Administrative Procedure may result in disciplinary action and may include restriction of access to the use of Generative AI Tools.

## Policy 24 – Generative Artificial Intelligence

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