Administrative Procedure 142

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 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, the AI Policy and the related administrative procedure will be reviewed every year by the 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 such as but not limited to GPT-3, GPT-4, ChatGPT, Dall-E, and Lensa AI.

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.

Procedures

1. Scope

    1.1. This Policy and Procedure applies to all Employees of School District No. 5 (Southeast Kootenay).

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.

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.

3.4. Use of Generative AI Tools incorporated into approved Information and Technology Resources do not require IT permission prior to its use. However, all other aspects of this Procedure apply to its 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 23 – Generative Artificial Intelligence (AI) or this administrative procedure.

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 an official District capacity to ensure that no copyrighted material is published by the District without proper attribution, citation, or 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.

    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 provides an opportunity to get started on memos, letters, job descriptions, and other District daily tasks that do not involve use of sensitive, confidential or personal information. Authorized users must note that when creating prompts for this context, all aspects of this procedure apply with the exception of clauses 6.1, 6.1(a) and 6.1(b).

5. Freedom of Information and Protection of Privacy

    5.1. Use of Generative AI Tools must not include any sensitive, confidential, regulated data, or any personally identifiable data.

    5.2. Exceptions will be made when suitable enterprise controls and data protection mitigations are in place.

    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 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).

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. A District employee's non-compliance with Policy 24 – Generative Artificial Intelligence (AI) and 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

Approved: February 26, 2024