Policy 0440.1

Use of Generative Artificial Intelligence

The Board of Trustees recognizes the potential benefits of using Generative Artificial Intelligence ("AI") to enhance student learning and the efficiency of District operations. The Board of Trustees also recognizes the potential misuse of AI and harm that can be caused by such misuse. This Policy establishes guidelines for the responsible and ethical use of AI within the District and outlines the District's expectations of any individuals who use AI for any purpose within the District's educational programs and activities. Violations of this policy may lead to appropriate disciplinary action.

Definitions:

"Generative Artificial Intelligence" refers to deep-learning models that generate content such as images, text, videos, or other media in response to prompts inputted by a user.

"Personally Identifiable Information" ("PII") includes information that can be used to distinguish or trace an individual's identity either directly or indirectly through linkages with other information.

Privacy:

District employees and students shall not input any PII of any member of the District's educational community into any AI program. District employees and students shall not input any student record (as defined in Education Code section 49061 and the Family Educational Rights and Privacy Act at 20 USC 1232g), student directory information, personnel record, or any PII related to members of the District's educational community into any AI program. Violation of this provision may lead to restricted access to District technology and other appropriate disciplinary action, as determined by the Superintendent or designee.

(cf. 5125- Student Records)
(cf. 5022- Student and Family Privacy Rights)
(cf. 6163.4- Student Use of Technology)
(cf. 4040- Employee Use of Technology)

Training:

The District may provide comprehensive training to all staff members as needed and as appropriate, including administrators, teachers, and support staff, regarding the legal and ethical use of generative AI in educational settings and in all matters connected to performing work for the District. This training will cover, at minimum, best practices for handling and safeguarding student and employee data, understanding relevant privacy laws including, but not limited to, FERPA and COPPA, issues related to bias and discrimination, and recognizing the implications of AI in decision-making processes. Ongoing professional development may be recommended to ensure that staff members remain informed about emerging technologies and changes in relevant laws and regulations. The District will consult with employee representatives prior to commencing any training.

Potential Monitoring:

To ensure compliance with District policies and applicable laws, the District may monitor the use of technology and AI systems within its schools. This monitoring may include, but is not limited to, reviewing data access logs, evaluating the use of AI tools in instructional and administrative tasks, and assessing the security measures in place to protect sensitive information. Monitoring activities will be conducted in a manner that respects the privacy of students and employees in accordance with state and federal law while ensuring the integrity and security of District operations.

Students with Disabilities:

Pursuant to Education Code section 56341.1, a student's Individualized Education Program ("IEP") team may consider whether a student with a disability requires assistive technology and services.

(cf. 6159- Individualized Education Program)
(cf. 6164.6- Identification and Education under Section 504)
(cf. 6162.5- Student Assessment)

Academic Honesty:

The Board of Trustees emphasizes the importance of upholding academic integrity, promoting originality, and adhering to ethical standards in all academic endeavors. In addressing academic honesty, it is essential to clarify the appropriate and prohibited uses of AI technology by students. While students may utilize AI for research, learning, and creative projects under supervision and with proper citation practices, they are strictly prohibited from using AI to generate or manipulate content that constitutes plagiarism or academic dishonesty. This includes, but is not limited to, submitting AI-generated essays, assignments, or assessments without proper attribution or using AI to falsify academic credentials or submitting AI-generated work as a student's original work.

(cf. 5131.9- Academic Honesty)

Nondiscrimination/Bias:

In adopting the use of generative AI within Merced Union High School district schools, the Board acknowledges AI's potential to create content that contains explicit and implicit bias and perpetuates bias and discrimination. It is imperative that the District remains vigilant and proactive in addressing these issues. The Board encourages all staff and students to critically examine AI-generated content for potential biases and discriminatory patterns. By fostering awareness and promoting inclusivity, the Board aims to harness the benefits of AI technology while mitigating its risks and ensuring an equitable and supportive learning environment for all.

(cf. 5145.3- Nondiscrimination/Harassment)

Cyberbullying:

In fostering a safe and supportive educational environment that includes AI, the Board confirms that cyberbullying in any form will not be tolerated. The Board recognizes the serious impact that cyberbullying can have on students' well-being and their ability to effectively learn. Accordingly, administrators and educators shall work to actively prevent and address instances of cyberbullying. Through comprehensive education, proactive monitoring, and prompt intervention, the District strives to maintain a culture where all students feel respected, valued, and protected from harm both online and offline.

(cf. 5145.3- Nondiscrimination/Harassment)
(cf. 5145.7- Sexual Harassment)
(cf. 5131.2- Bullying)

Deepfakes:

Deepfakes, which are hyper-realistic AI video or audio clips depicting individuals saying or doing things they never actually said or did, pose risks that extend beyond mere technological manipulation. These sophisticated tools can be misused to propagate misinformation and harm the reputation and emotional well-being of our students and staff. Accordingly, the Board is committed to educating our school community about the existence and implications of deepfakes, and strives to empower our educators to swiftly and appropriately respond to their inappropriate creation and circulation. By fostering a culture of responsible digital citizenship, the Board aims to empower students to discern between authentic and manipulated content, thereby safeguarding their personal and academic integrity in an increasingly digital world.

(cf. 5145.3- Nondiscrimination/Harassment)
(cf. 5145.7- Sexual Harassment)
(cf. 5131.2- Bullying)

Legal Reference:

Education Code 220
Education Code 33031
Education Code 33032
Education Code 35291
Education Code 35291.5
Education Code 44805
Education Code 45113
Education Code 48901.5
Education Code 48901.7
Education Code 49076
Education Code 56341.1
Government Code 3543.1
20 U.S.C. 1232g
20 U.S.C. 1401
2 C.C.R. 11006-11086