



DEVELOPING POLICY AND PROTOCOLS FOR THE USE OF GENERATIVE AI IN K-12 CLASSROOMS

Prior to setting school and district policies on the use of AI technologies, it is vital that school and district leaders are aware of federal and state policies that impact the use of these technologies both regarding student data privacy in addition to other states and countries that lead in this area. While there are a number of schools across the nation (and world) that have made the decision to ban the use of AI technologies and ChatGPT, when making this decision it is important to consider the learning opportunities that might be limited for students. Being aware of other policies both within and outside of Oregon can be helpful in making informed decisions. The US Office of Educational Technology is currently working on developing policies and supports that focus on the effective, safe, and fair use of AI-enabled educational technology. Their [Artificial Intelligence website](#) can provide a great starting point for understanding current policies in this area. Additionally, with the increased interest in, and attention on AI technology, other countries have developed resources to guide in the use of AI in education. For example, The European Commission recently released “[Ethical guidelines on the use of artificial intelligence \(AI\) and data in teaching and learning for Educators](#)” which provides guidance and resources for school leaders.

FEDERAL POLICIES

While there have been no federal policies related to the use of AI technologies in education, at the release of this resource, in March 2023, the U.S. Copyright Office, Library of Congress, released a policy that has impacts on the use of works containing material generated by artificial intelligence. The full text of this policy can be reviewed [here](#).¹

The US Office of Educational Technology published a brief in May 2023 titled “[Artificial Intelligence and the Future of Teaching and Learning](#).” This brief provides insights and recommendations regarding building ethical, equitable policies in addition to information about the use of AI in teaching, best practices for instruction including formative assessment, and research around the use of AI in classrooms and beyond. This brief along with additional work supported by the US Office of Educational Technology supports a focus on the effective, safe, and fair use of AI-enabled educational technology. Their [Artificial Intelligence website](#) can provide a great starting point for understanding current policies in this area.

¹ If additional related federal policies are developed, this section of the guidance will be updated to reflect the most current policies available.

POLICIES FROM ACROSS THE NATION

As K-12 schools and districts spend more time learning about the use of generative AI in classrooms, policies continue to change at a rapid pace with districts that initially banned platforms such as ChatGPT shifting toward embracing its potential in the classroom². While some schools, districts, and states have continued their ban on generative AI, particularly platforms such as ChatGPT, many have done so as a temporary measure in order to engage in risk assessments and develop plans to train educators.³

An example that can provide a starting point for schools and districts in developing their AI policies and procedures can be drawn from the International Baccalaureate. They have developed a “[Statement from the IB about ChatGPT and artificial intelligence in assessment and education](#).” This statement calls for developing policy that supports students in using generative AI tools in ways that are ethical and aligned with principles of academic integrity.

OREGON DISTRICT POLICIES

Many Oregon districts are still exploring the use of generative AI platforms such as ChatGPT in their classrooms. Schools and districts are encouraged to contact the Oregon Department of Education when developing policy related to AI technologies for both technical support as well as opportunities to connect with other districts in order to learn from each other. Please contact ODE’s Digital Learning Team (ode.digitallearning@ode.oregon.gov) with questions, current policies, and technical support needs.

INTERNATIONAL POLICIES

The United Nations developed a resource “[AI and Education: Guidance for Policy-Makers](#)” that provides important information regarding other countries’ policies related to the use of AI in schools. While this resource focuses on the use of AI broadly rather than generative AI specifically, it includes important considerations for policy development and provides language from other countries’ policies that can be useful.

AI POLICY AND PROTOCOL DEVELOPMENT PLANNING AND REFLECTION TOOL⁴

Based on the information in this resource, there are several action steps that school and district administrators can take in an effort to create clear, meaningful, and equitable policy around the use of AI technologies in classrooms. The table below can serve as a starting point for reflection, discussion, and policy development.

- 2 Banks, D. (2023). ChatGPT caught NYC schools off guard. Now, we’re determined to embrace its potential. Retrieved from: <https://ny.chalkbeat.org/2023/5/18/23727942/chatgpt-nyc-schools-david-banks>
- 3 Jimenez, K. (2023). 'This shouldn't be a surprise' The education community shares mixed reactions to ChatGPT. Retrieved from: <https://www.usatoday.com/story/news/education/2023/01/30/chatgpt-going-banned-teachers-sound-alarm-new-ai-tech/11069593002/>
- 4 Additional information regarding developing AI policy can be found in [Artificial Intelligence Policy in Secondary Schools](#).

Focus	Guiding Questions ⁵	Tasks
<p>1. Review Equity Decision Tree and specific equity focused AI questions</p>	<p>What are the equity implications of AI being used in schools?</p> <p>How are these equity implications being addressed through policy, particularly for historically and systemically marginalized student groups⁶?</p> <p>To what extent is AI enabling adaptation to students’ strengths and not just deficits? Is AI enabling improved support for learners with disabilities and English language learners?</p>	<p>Organize a team to lead in the development of AI policy with a variety of roles, perspectives, and experiences (including librarians, library staff, media specialists, and IT staff). <i>(Depending on the size of the school or district, consider partnering with other schools or districts across the state in order to engage collaboratively with this process.)</i></p> <p>Consult the Equity Decision Tools for School Leaders with the team prior to beginning the process of developing policy and throughout each step indicated below. <i>Suggested starting place: Decision Tree and Deepening Questions – What is the problem? What are the interior conditions?</i></p> <p>Clearly define your vision for learning and how educational technology broadly and AI specifically might align with that vision. Continue to refer to this to ensure alignment between your vision and the policies being developed.</p>
<p>2. Engage District and School Community</p>	<p>How might AI spark dialog around broader media/ digital/ algorithmic literacies that will continue to impact students’ lives?</p> <p>How are opportunities for educators to share their experiences related to the equity implications of AI being created when developing policy and revisiting policy?</p> <p>How are student, family, and the larger communities voices being centered in developing AI policy, specifically regarding equity implications for multilingual students and students with disabilities?</p> <p>How are youth voices involved in choosing and using AI for learning?</p>	<p>Review the “Community Engagement Toolkit.”</p> <p>Review the “Tribal Consultation Toolkit”</p> <p>Provide teaching and learning sessions to community members about the use of AI programs in schools including both opportunities and concerns/risks. Schools and districts are encouraged to use the above tools as a starting point for these sessions.</p> <p>Consult with community partners, including teachers, parents, and students, and the Tribes to ensure that policy decisions are informed by a diverse range of perspectives.</p> <p>Consult with the school board to share perspectives learned during community engagement.</p> <p>Consult the Equity Decision Tools for School Leaders. <i>Suggested focus: Deepening Question – Does your decision deepen a sense of community and relational trust?</i></p>

5 These questions were modified from questions included in COSN (2020). Artificial Intelligence in K-12 as well as The Office of Educational Technology (2023) Artificial Intelligence and the Future of Teaching and Learning. Retrieved from: <https://tech.ed.gov/files/2023/05/ai-future-of-teaching-and-learning-report.pdf>

6 AI technologies are used across agencies and systems with research showing that the use of AI has negatively impacted people from historically and systemically marginalized communities. Examples of such research can be found in Ruha Benjamin’s (2019) book Race After Technology: Abolitionist Tools for the New Jim Code as well as in the ProPublica article “[Machine Bias](#)”.

Focus	Guiding Questions ⁵	Tasks
3. Review Products and Services	<p>How does AI fit within the broader digital learning ecosystem?</p> <p>How can IT staff serve as leaders in these conversations and review design?</p> <p>How strong are the processes or systems for monitoring student use of AI for barriers, bias, or other undesirable consequences of AI use by learners? How are emergent issues addressed?</p>	<p>Consult the Equity Decision Tools for School Leaders. <i>Suggested focus: Review Equity Decision tree discussion (step #1) and revise as needed based on findings from community engagement.</i></p> <p>Conduct a thorough review of any AI products or services before introducing them into the classroom, paying particular attention to their potential impact on equity and student data privacy.</p> <p>Review the Office of Educational Technology’s EdTech Evidence Toolkit to ensure that you are making evidence-based decisions on the use of educational technologies (edtech) in schools.</p> <p>Consider developing a tool for evaluation by building off of tools such as EdTech Center’s Online/Tech Tool Evaluation as a starting point for review.</p> <p>Ensure that student data privacy is central to conversations by reviewing aligned policies including Family Educational Rights & Privacy Act (FERPA), the Children’s Internet Privacy Act (CIPA), the Children’s Online Privacy and Protection Act (COPPA) and the Oregon Student Information Protection Act (OSIPA).</p>
4. Establish Clear Guidelines/ Develop Policy	<p>How can guidelines for AI be developed in alignment within a broader system of educational technology?</p> <p>When AI is used, are students’ privacy and data protected? Are students and their guardians informed about what happens with their data?</p> <p>Is high-quality research or evaluations about the impacts of using the AI system for student learning available? Do we know not only whether the system works but for whom and under what conditions?</p>	<p>Consult the Equity Decision Tools for School Leaders. <i>Suggested focus: Deepening Question – Are your solutions feasible?</i></p> <p>Establish clear guidelines around the use of AI technologies, including when and how it should be used, and what data will be collected. <i>Consider a preliminary step of providing educators access to ChatGPT while a broader policy is being formulated.</i></p> <p>Consider expanding the current acceptable use policy in order to include policies for both staff use and student use that take into account both opportunities and risks with using AI. Ensure that the student policy prioritizes student data privacy laws.</p> <p>Share policy with the school board for approval.</p> <p>Provide ongoing support to the school board about the use of ChatGPT and other AI technologies.</p>

Focus	Guiding Questions ⁵	Tasks
<p>5. Create a Professional Development Plan</p>	<p>How can AI literacy be incorporated as a component of broader literacy and equity training so that it does not become “just another thing” or “someone else’s topic” to teach?</p> <p>How can librarians, library staff, and media specialists serve as leaders in this work?</p> <p>How are educators, students, and families being trained in digital literacy to ensure that they have the skills necessary to ethically and productively navigate and use AI technologies?</p>	<p>Consult the Equity Decision Tools for School Leaders. <i>Suggested focus: Deepening Question – Who are the decision-makers and designers?</i></p> <p>Review the Office of Educational Technology’s Artificial Intelligence and the Future of Teaching and Learning guidance to get support on how to practice ACE (always center educators) in AI (pp. 25-36).</p> <p>Consider the various audiences needing training including IT personnel, classroom teachers, librarians and library staff, media specialists, school staff, families, and students. Create a professional development calendar with focused topics for each group.</p> <p>Provide training and support for educators, students, and families around the use of AI technologies, including how to use it effectively and responsibly, and how to mitigate any potential negative impacts.</p> <p>Ensure that educator training is grounded in research based approaches for technology integration. Liz Kolb’s Triple E Framework can be a helpful guide in ensuring that technology generally and AI specifically is used intentionally in the classroom.</p>
<p>6. Implement and Monitor Policy to Determine Effectiveness</p>	<p>How can voices of educators and the larger school community continue to be central to the process of implementation and monitoring of AI products and services in schools?</p> <p>Is AI leading to narrower student activities (e.g., procedural math problems), or the fuller range of activities highlighted in the National Educational Technology Plan (NETP), which emphasizes features such as personalized learning, project-based learning, learning from visualizations, simulations, and virtual reality, as well as learning across school, community, and familial settings?</p> <p>Is AI supporting the whole learner, including social dimensions of learning such as enabling students to be active participants in small group and collaborative learning? For example, does AI contribute to aspects of student collaboration we value like shared attention, mutual engagement, peer help, self-regulation, and building on each other’s contributions?</p>	<p>Consult the Equity Decision Tools for School Leaders. <i>Suggested focus: Deepening Question – How are you implementing this decision? What are you learning along the way?</i></p> <p>Implement the policy with fidelity - it might be helpful to start with one school or grade level band before rolling out district wide.</p> <p>Monitor the implementation of AI technologies in classrooms closely, and be prepared to make adjustments if any negative impacts on equity or other concerns arise.</p> <p>Develop accountability measures to ensure that the technology is implemented in appropriate ways that align with the educator professional development and community training provided – adjust learning opportunities as needed.</p> <p>Consider ways in which to review the effectiveness of the policy by engaging with local parent teacher organizations (or other similar organizations) regarding the use of the technology outside of the classroom.</p> <p>Review the AI policy with your team on a consistent basis to ensure that the policy responds to the pace of change within the field.</p>

For more information, please contact ODE’s Digital Learning Team at ode.onlineremotelearning@ode.oregon.gov.