

**Policy EHBD: ARTIFICIAL INTELLIGENCE USE**

**Status:** DRAFT

**Original Adopted Date:** Pending

**24A UPDATE EXPLANATION**

This is a NEW policy for district consideration. Artificial intelligence (AI) presents both issues and opportunities for districts and their students, employees, and community. This policy sets the governing framework for creating a comprehensive district AI Use Plan (see EHBD-AP1, also in this update) and outlines the general principles that the AI Use Plan will follow. MSBA recommends that the district consult with employees, students, parents/guardians, and community members when developing the AI Use Plan to determine what AI uses may be appropriate for their district and the conditions that may need to be set on AI use.

This policy and other district policies and procedures addressing artificial intelligence (AI) apply to student and employee AI use of district technology resources (as defined in policy EHB and including district-provided login credentials) regardless of whether the use occurs on district property, at district activities, or off campus when a nexus can be drawn to the educational environment.

This policy and other district AI policies and procedures also apply to free AI resources.

Students and employees may be disciplined, and employees may be terminated, for AI use that violates this policy or any related policy or procedure.

**Definitions**

The following definitions will apply to all district policies and procedures that relate to artificial intelligence:

*Artificial Intelligence (AI)* – Any hardware or software capable of adapting its output or performance by applying probabilistic algorithms to input. For the purposes of this policy, any product or service that contains or uses AI, is marketed as AI, or is marketed as using or containing any kind of AI will also be defined as AI when the AI component is used.

*Confidential Data/Information* – Information that the district is prohibited by law, policy, or contract from disclosing or that the district may disclose only in limited circumstances. Confidential data includes, but is not limited to, personally identifiable information (PII) about students and employees, student and employee medical information, student education records, and information about any student's individualized education program (IEP) or Section 504 plan.

*Critical Data/Information* – Information that is essential to district operations and that must be securely maintained to avoid disruption to district operations.

*Generative AI* – A type of AI whose primary purpose is to accept input, process the input through probabilistic algorithms, and use the result to generate new output that resembles human-made intellectual or creative work, such as writing or art. Large language models (chatbots) are an example of generative AI.

**AI Coordinator and AI Use Plan**

The superintendent or their designee will act as the district's AI coordinator who will have chief responsibility for regulating, monitoring, and adjusting AI use in the district and developing the district's AI Use Plan. The AI coordinator may consult with experts or others outside the district but may share critical or confidential data only under appropriate confidentiality or nondisclosure agreements. The board encourages employees, students, parents/guardians, and community members to provide input to the AI coordinator on the district's AI Use Plan.

The AI Use Plan will provide a detailed set of rules for acceptable AI use in the district that may be regularly updated as new issues emerge. The purpose of the AI Use Plan is to protect the safety and security of students, employees, and the district while allowing for appropriate educational and productive enhancements enabled by AI. AI may be used by employees and students only in accordance with the AI Use Plan.

The AI Use Plan and any actions or decisions that affect AI use must prioritize the security of student, employee, and district data.

The AI coordinator must be knowledgeable of the contents of the privacy policies of all AI products used in the district, including any relevant changes to the policies. Any AI product used must comply with legal privacy requirements.

### Annual Review of AI Use

At least once per school year, the AI coordinator will review the district's AI use for safety, data privacy, appropriateness, and effectiveness and make appropriate changes. Employees and students may submit requests for new AI uses according to the procedures outlined in the AI Use Plan.

### Notice to Parents/Guardians

The district will update parents/guardians at least annually with a summary of AI use in the district, including any significant changes to the AI Use Plan.

### Training

The district will provide employees and students the requirements of this policy, other district policies regarding data management and privacy, acceptable uses of AI, and AI prohibitions.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### Federal References

18 U.S.C. §§ 2510-2520  
18 U.S.C. §§ 2701-2711  
20 U.S.C. § 1232g  
20 U.S.C. § 1232h  
20 U.S.C. § 1400-1417

#### Description

[Electronic Communications Privacy Act](#)  
[Stored Communications Act](#)  
[Family Educational Rights and Privacy Act](#)  
[Protection of Pupil Rights Amendment](#)  
[Individuals with Disabilities Education Act](#)

#### Cross References

BBFA-1  
GBCB  
GBCBB  
JG-R1  
JO-1  
JO-1-AP(1)  
JO-1-AP(2)

#### Description

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