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## A Policy of No Policy? Exploring Generative AI Policies in Higher Education

Not having a policy is essentially a policy. That seems to be how much of higher education is approaching generative artificial intelligence (Gen AI) tools and its use within teaching and learning. To be transparent, I am still uncertain where this is going. I have had a number of conversations, attended meetings/workshops, explored the literature, and spent many hours reading up on policies from various colleges and universities.

After an exhaustive search, it appears that the University of Florida does not have an official university Gen AI policy. It has statements on AI risk, and AI governance, and guidelines. The closest thing I can find that resembles a policy is on the UF Compliance and Ethics (Privacy) site under “Laws and Regulations” titled “AI Governance” at <https://privacy.ufl.edu/laws-and-regulations/ai-governance/> (UF Privacy Compliance Office, n.d)

To further explore and investigate gen AI policy, I recently attended a workshop for AI policy from UF’s Center for Teaching Excellence that was led by Michael Barber, PhD. This hour-long presentation and workshop was geared to writing course syllabi Gen AI policy statements. Unfortunately, as suspected, we did not address a university-wide policy. (It was assumed that there is no policy.). Instead, we looked at other universities course policies as it relates to generative AI in the process of crafting our own individual Gen AI policy syllabi statements.

On the UF Policy site ([policy.ufl.edu](http://policy.ufl.edu)), there are 168 entries listed for students and 211 entries listed for faculty, but a single, specific entry for “artificial intelligence” or “AI.” Searching for “artificial intelligence” results in a single entry titled “Student Honor Code and Student Conduct Code.” On this specific regulation/page (Regulation Number 4.040), generative AI is used as part of a legalistic definition for the term “Entity.” Additionally, from the Administrator’s Guide to AI, found within the UF’s AI Ethics page, the document specifies that “Every plan of AI instruction should incorporate training in the ethics, policy, regulation, and responsible use of AI” yet I cannot easily find such a university wide regulation or policy whether by searching directly on UF’s website or using Google and Bing search engines. There are statements and guidance within some of the colleges (e.g. medicine and law), but most refer to the UF Honor Code and defer to the course syllabi. Indeed, many references are made to the UF Student Honor Code and Student Conduct Code (Vice President, Student Life, n.d.) Within UF Privacy, there is mention of Generative AI within the AI Governance web page, however, it does not mention students or teaching, but rather focuses on privacy, compliance/regulation, and intellectual property rights.

Within the “AI Technologies in Education at the University of Florida” document, there is mention of “policies,” however, it is in the context of user responsibilities and Acceptable Use Policy. It does offer three levels of AI integration for syllabi but states that these “are not formal

statements or policies” (McCallister et al., n.d.). The document offers guidance for students, but again does not delve into or specify a general, university wide generative AI policy.

Upon reviewing the minutes of the Board of Governors meeting for Innovation and Online Committee, it is clearly apparent that there was much discussion related to the excitement of generative AI but there was no mention of policy or regulation. (2024)

UF is not alone in a university not having a clear policy when it comes to the use of generative AI by students. I have yet to encounter a concretely and strictly defined university-wide, blanket policy specific to the use of generative AI for students. Almost every university had a statement on the use of AI, but not a legal institutional policy. Instead, these universities had guidelines and accompanying resources on the use of AI for teaching and learning that referenced their academic honesty, honor code standards, or integrity policies. Many of the “no-policy” institutions put the onus directly on the faculty and students. For example, the University of Colorado Boulder states that it “does not have a policy on AI in curriculum because there is no one-size-fits all” and that the responsibility lies with the student to work with professors to understand their guidelines (CU Boulder, n.d.).

Universities have shied away from establishing institutional-wide policies for generative AI I have yet to find a defined, institutional-wide policy on the use of generative AI for students. While I did not find the exact policy, Brandeis University requires its instructors to “include a policy in all their syllabi regarding the use (and misuse) of generative AI (e.g., chatGPT) in their courses” (Center for Teaching and Learning, n.d.).

For the purpose of this assignment, my goal was to look for explicit generative, university-wide, stand-alone AI policies, that is policies that governed the university as a whole. The three universities I selected were the University of Notre Dame, Columbia University, and Yale University. I also looked at something closer to Florida, my alma mater, Jacksonville University. All the universities were similar in that their individual policy was limited to the university’s honor or integrity code of conduct.

- Notre Dame’s *Generative AI Policy for Students* refers itself as an “academic integrity policy” and that representing AI-generated work as one’s own constitutes a violation of the Notre Dame Honor Code and would consider as academic dishonesty (2023). It refers and essentially delegates authority to the instructor’s articulated course policy. Interestingly, it has a policy update for AI editing tools to specify certain products to include or prohibit if the instructor prohibits the use of gen AI on assignments. In fact, it appears that Notre Dame rolls out new policy statements with month and dated as opposed to just revising the existing policy. While it is nice to see the updates and the respective month/year that it was published, this may have the unintended effect of students not reading the earlier statements.
- Columbia University’s generative AI Policy is thorough but states that it is a ‘work in progress’ and that its intended purpose is to reduce risk and offer guidance for responsible

use (Columbia University Office of the Provost, n.d.). This initial policy is being developed within the Office of the Provost and provides guidance, definitions, and helpful examples. It delineates roles, bias, considerations, appropriate uses, and research.

- At Yale, guidance is offered to both faculty and students and reminds students that each course sets its own policy for AI. (Office of the Provost, 2023) Interestingly, the statement encourages students to experiment with the AI tools but sets a prioritized list of guidelines related to information security/privacy, academic integrity, bias and risk. A university AI task force was formed by Yale Provost Scott Strobel to explore AI, its opportunities, risks, and implications. The report that followed concluded that the university “should refine its policies to clarify the proper use of AI with respect to teaching and learning” (Yale University, 2024).
- Jacksonville University has a policy of no policy, but states that it is the discretion of the course instructor. Additionally, JU students are told that if the course syllabus does not have a statement explicitly allowing the use of Gen AI that such use in the course “may constitute a violation of the Academic Integrity Policy of Jacksonville University” and it “leaves the use of AI in an academic setting up to the faculty” (Jacksonville University, n.d.).

Some of the schools I reviewed linked out to FAQs and more resources. While more information is always welcomed, I think it can lead students and faculty away from the exact information they want in terms of a direct, succinct policy. From a clarity perspective, Notre Dame’s policy surpasses the other universities that I reviewed as it offers a statement specific Generative AI Policy for Students. The language is simple, and several lines are bolded to capture the most important aspect of the policy to communicate that representing AI-modified or generated work as one’s own is considered academic dishonesty and a violation of the Honor Code. My only recommendation for this is to have this stated at the very beginning of the page with possibly larger font.

The following improvements have emerged from my review of the topic and other institutional practices. The first major improvement is to explicitly and intentionally provide a clear and transparent policy statement that, at present, there is **NO** institutional wide policy for the ban or permissible use of generative AI by students without the expressed approval of the instructor and state the reasons why this is the case (e.g., that the state of AI is changing). The policy should also state that without the express approval of the instructor, such use may be a violation of academic integrity conduct. It should also be stated that the use of tools to detect academic dishonesty may be used. This policy should be easily accessible and fully transparent with links to guidelines, examples (e.g. acceptable boiler plate syllabi statements). While I do not think this will completely eliminate unnecessary confusion, uncertainty, resources and time, it will set expectations on the faculty and students.

The second major improvement is to provide a policy for all faculty to include generative AI statements within the course syllabi. This requirement will require faculty to address the issue

on how AI can be used in the class (or not used), and it sets clear expectations for both students and faculty. I decided that this issue needs an additional improvement due to the serious nature and impact of the issue. A third major improvement is to actively promote awareness and provide more communication on appropriate uses and expectations. Because there is no institutional wide policy, the university will need to direct students, faculty, and staff to the appropriate colleges. Just as we may scaffold material to be learned in a course, we need to offer appropriate scaffolding of the Gen AI tools and AI literacy skills. I think infographics would be very helpful for students and staff to quickly capture the information and enhance understanding related to acceptable, responsible and appropriate uses of generative AI.

Several recent published papers have examined the challenges of not having a comprehensive AI policy. One study proposed developing a comprehensive AI policy ecological education framework organized into several dimensions: pedagogical, governance, and operational. (Chan, 2023) Some of the emerging research exploring Gen AI policies within higher education delves into underlying assessments and assignments. Luo (2024) refers to it as a “critical silence” when it comes to discussing the changing landscape and “evolving notion of originality” (p. 661). So, essentially, the lack of these universal policies require additional discussions and deeper conversations of how generative AI is impacting how students work.

In conclusion, I am still wrestling with this area of study. Many challenges are unresolved. I do not think deferring or delegating the decision, and of having “a policy of no policy” is ideal. I am concerned with how it develops, and I hope to make a meaningful contribution to these discussions. In many cases, it will require governance structures such as boards of trustees and boards of governors to force higher educational institutions to develop more robust university-wide policies to forgo a “policy of no policy.”

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