



# Handling Artificial Intelligence in Schools Responsibly

Presented by:  
Regan G. Wilkins  
August 27, 2024

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# HANDLING ARTIFICIAL INTELLIGENCE IN SCHOOLS RESPONSIBLY

**Regan G. Wilkins**

August 27, 2024

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## AGENDA

- Speaker Introduction
- What is Artificial Intelligence (AI)?
- Privacy Implications (Teacher Issue)
- Impact on Copyright
- Preventing AI Abuse by Students
- How to Adapt District Policy?

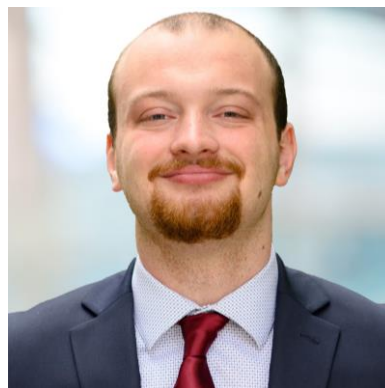
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## SPEAKER INTRODUCTION



- Regan G. Wilkins
- Licensed School and Intellectual Property Law Attorney at Eichelbaum Wardell Hansen Powell & Muñoz, P.C.
- Member of:
  - State Bar of Texas, School Law Section
  - State Bar of Texas, Intellectual Property Law Section
  - Texas Council of School Attorneys
  - American Intellectual Property Law Association
  - International Trademark Association
  - Dallas Bar Association



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**DISCLAIMER:** This presentation contains accounts of sexual violence, abuse, and assault. All pictures, graphics, and any other visual media are for presentation purposes only and do not represent, portray, or intend to portray any figures, officials, or students in the provided cases. All similarities are pure coincidence, and all images, charts, or maps are duly obtained through creative commons.

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### Texas Government Code

#### § 2054.601. Use of Next Generation Technology

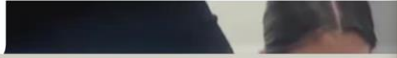
##### Currentness

Each state agency and local government shall, in the administration of the agency or local government, consider using next generation technologies, including cryptocurrency, blockchain technology, robotic process automation, and artificial intelligence.

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## Making The Grade: How Central Texas public schools are using artificial intelligence chat bots in the classroom



## 'We don't have teachers' | This Austin private school lets AI teach core subjects

...believe pairing AI and life skill courses is the future of

## Districts Turn to AI to Address School Security Needs

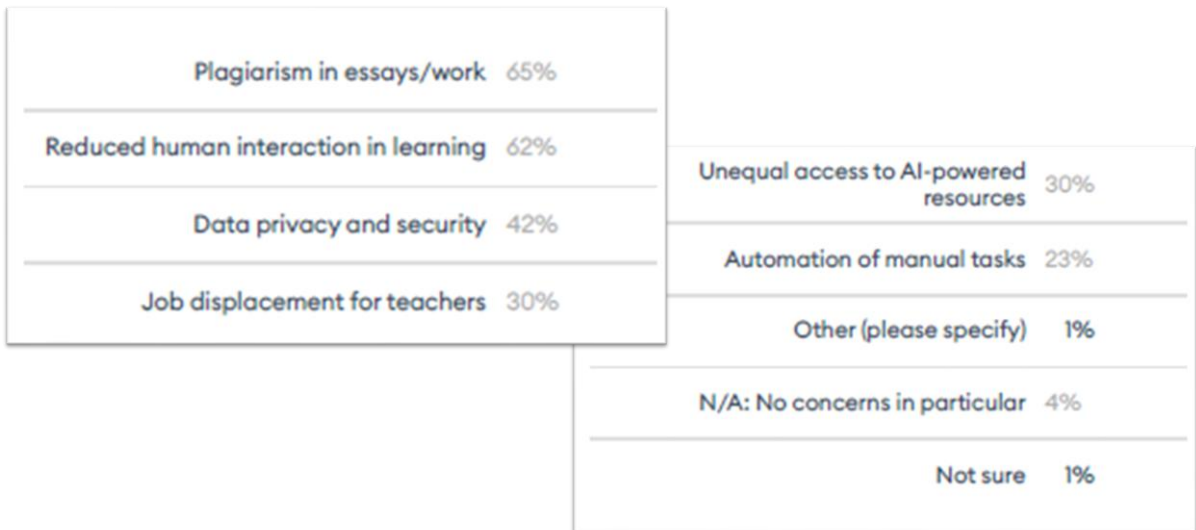
Tuesday, May 21, 2024  
by Leslie Trahan

ARTICLE

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## What concerns do you have about the use of AI in education?



Source: October 2023 Forbes Survey from National Educators

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**WHAT IS AI AND WHAT QUALIFIES AS AI?**

7

**WALL-E??**

**I, ROBOT??**

**???**

**THE TERMINATOR??**

**BLACK MIRROR??**

8

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# WHAT EXACTLY IS ARTIFICIAL INTELLIGENCE?

- “Artificial intelligence, or AI, is technology that enables computers and machines to *simulate* human intelligence and problem-solving capabilities.”
    - Based on algorithms, data, and online resources
  - A user puts in an “**input**” (similar to a “Google search”) and the AI spits out an “**output**” that is often **VERY** similar to what an actual person would create or produce.
  - Certain AI systems can emulate human creation, speech, imagery, research, and writing
    - ChatGPT, Canva, Google Gemini, Microsoft Copilot, CrAIyon, etc.
  - In other words, these systems use science and **TONS** of data to copy (sometimes indistinguishably) what a human could do for themselves.
-

# DO YOU THINK A HIGH SCHOOL STUDENT COULD CREATE THESE?

Input:



Can you please write me an essay on the top 10 most critically acclaimed TV shows ever?

Output:

📌 Top 10 Most Critically Acclaimed TV Shows Ever

Television has been a vital part of entertainment for decades, evolving from simple black-and-white broadcasts to the complex, high-definition storytelling of today. Over the years, several shows have not only entertained but also left a lasting impact on audiences and critics alike. Here's a look at ten of the most critically acclaimed TV shows of all time.

- 1. The Sopranos (1999-2007)**  
David Chase's "The Sopranos" is often hailed as one of the greatest TV series ever made. This HBO drama follows the life of mob boss Tony Soprano, brilliantly portrayed by James Gandolfini, as he navigates the challenges of leading a criminal organization while trying to maintain a semblance of normal family life. Its deep character studies, psychological complexity, and groundbreaking narrative style revolutionized television storytelling.
- 2. Breaking Bad (2008-2013)**  
Created by Vince Gilligan, "Breaking Bad" tells the story of Walter White (Bryan Cranston), a high school chemistry teacher who turns to cooking methamphetamine after being diagnosed with terminal cancer. The show is celebrated for its intense writing, complex characters, and moral ambiguity. Cranston and Aaron Paul, who plays Walter's partner Jesse Pinkman, deliver standout performances that have cemented the show's place in TV history.
- 3. The Wire (2002-2008)**  
David Simon's "The Wire" offers an unflinching look at the various facets of Baltimore, from the drug trade to the school system, and everything in between. Known for its realistic portrayal of societal

Message ChatGPT

Input:

Minimalist illustration of house and trees, styled like a ninth grader, made out of crayon

Clear

Output:



Generate again

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## Student Abuse (asking for an essay):



Could you please write me an essay about Thomas Edison, styled as a ninth grader who is just trying to pass his final exam?

📌 Thomas Edison: The Wizard of Menlo Park

Thomas Alva Edison was one of the most famous inventors in American history. Born on February 11, 1847, in Milan, Ohio, Edison made many inventions that have shaped the way we live today. He was called "The Wizard of Menlo Park" because of his numerous inventions and the amazing things he accomplished at his laboratory in Menlo Park, New Jersey.

Edison's early life was not easy. He was the youngest of seven children and had hearing problems from a young age. Because of his hearing issues, he struggled in school and was often seen as a poor student. His mother decided to teach him at home, and it turned out to be a good decision. Edison loved to read and learn on his own. He especially enjoyed reading about science and experimenting with chemicals.

When he was only 12 years old, Edison started working as a newsboy on the Grand Trunk Railroad. He used the money he earned to buy chemicals and equipment for his experiments. Even at a young age, he was very curious and determined to learn more about how things worked.

One of Edison's first big inventions was the phonograph in 1877. The phonograph was the first machine that could record and play back sound. This invention amazed people because, for the first time, they could listen to recorded music and voices. Edison's fame grew, and he became known as a brilliant inventor.

In 1879, Edison invented the practical incandescent light bulb. While he did not invent the first electric light, his version was the first that was practical for everyday use. Edison's light bulb could last for up to 1,200 hours, making it much more durable than previous versions. This invention had a huge impact on the world, as it allowed people to have light in their homes and businesses without

Message ChatGPT

## Teacher Abuse (asking for advice):



Hello, my name is Janet Doe and I am a teacher at NotAReal Elementary and my Students John Doe and Jane Doe will not cooperate in our daily reading instruction. John Doe has a diagnosis of a Speech Impairment and Jane Doe has scored an 87, 82, 71, 45, and 82 on her last five reading tests and has 14 recorded absences this semester. How should I approach helping these students?

📌 Memory updated

Hello Janet! It sounds like you're facing some challenges with John and Jane in your reading instruction. Here are some tailored strategies that might help you address their specific needs:

**For John Doe:**

John has a speech impairment, so it's important to incorporate strategies that will support his speech and language development while also engaging him in reading.

- Speech Therapy Collaboration:** Work closely with John's speech therapist to incorporate techniques and exercises into your reading instruction that align with his therapy goals.
- Visual Aids:** Use pictures, symbols, and visual schedules to help John understand the reading material and instructions.
- Interactive Reading:** Engage John in interactive reading activities. Encourage him to point to pictures, answer yes/no questions, and repeat phrases.
- Simplified Language:** Use clear and simple language when giving instructions and discussing the reading material.
- Assistive Technology:** Explore assistive technology tools that can support John's communication and reading skills, such as speech-to-text or text-to-speech software.

**For Jane Doe:**

Message ChatGPT

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## Teacher Abuse for Email (asking for an email):

Hello, my name is Janet Doe and I am a teacher at NotAReal Elementary School. I have a student named John Snow and Daenerys Targaryen (they are siblings) that will not cooperate in our daily reading instruction. Please draft an email to send their parents expressing how we can solve the issue. John Snow has a diagnosis of a speech and Daenerys Targaryen has scored an 87, 82, and 71 on her past three reading exams and has 14 unexcused absences this semester.

**TONE DEAF:** Not only have you given AI access to the students' confidential information, but you have also regurgitated that available information in unpersonal manner to their parents... **PROOF READ!**

Dear [Parents' Names],

I hope this message finds you well. I am reaching out to discuss some concerns regarding your children, John and Daenerys, and to explore how we can work together to support their success in our reading instruction program.

**John Snow:** John has a speech diagnosis, which I understand can impact his participation in class. To better support him, I would like to discuss any specific strategies or accommodations that may help him engage more effectively during our reading activities. Additionally, I would appreciate any insights you might have on how we can best support his needs.

**Daenerys Targaryen:** Daenerys has had some challenges with her recent reading exams, scoring 87, 82, and 71 on her past three assessments. Moreover, she has accumulated 14 unexcused absences this semester. I am concerned about how these factors might be affecting her learning experience and would like to find ways to address them. I believe that with additional support and consistent attendance, Daenerys can improve her performance and gain more from our reading instruction.

To address these issues, I propose setting up a meeting where we can discuss strategies and possible interventions. This meeting would allow us to collaborate on creating a tailored plan to better support John and Daenerys in their learning journey. Please let me know a convenient time for you, or if you prefer, we can schedule a phone call or virtual meeting.

Thank you for your attention to this matter. I look forward to working together to support John and Daenerys and help them achieve their full potential.

Best regards,



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## Good Teacher Example:



Can you draft a letter to send home with my kindergarten class describing that we need volunteers for an upcoming field trip to the Zoo.

Certainly! Here's a draft for a letter to send home with your kindergarten class:

[Date]

Dear Kindergarten Parents and Guardians,

We are excited to announce an upcoming field trip to the Zoo! This will be a wonderful opportunity for our students to learn about animals, their habitats, and the importance of conservation in a fun and engaging way.

### Field Trip Details:

- **Date:** [Insert Date]
- **Time:** [Insert Departure Time] - [Insert Return Time]
- **Location:** [Name of the Zoo]

Message ChatGPT



## Bad Admin Example:



Can you please write me a reprimand to one of my teachers about her sharp tone towards one of the students that has bordered abusive behavior? I am a principal at a high school.

Memory updated

Certainly! Here's a draft for the reprimand:

[Date]

[Teacher's Name]  
[High School Name]  
[School Address]

Dear [Teacher's Name],

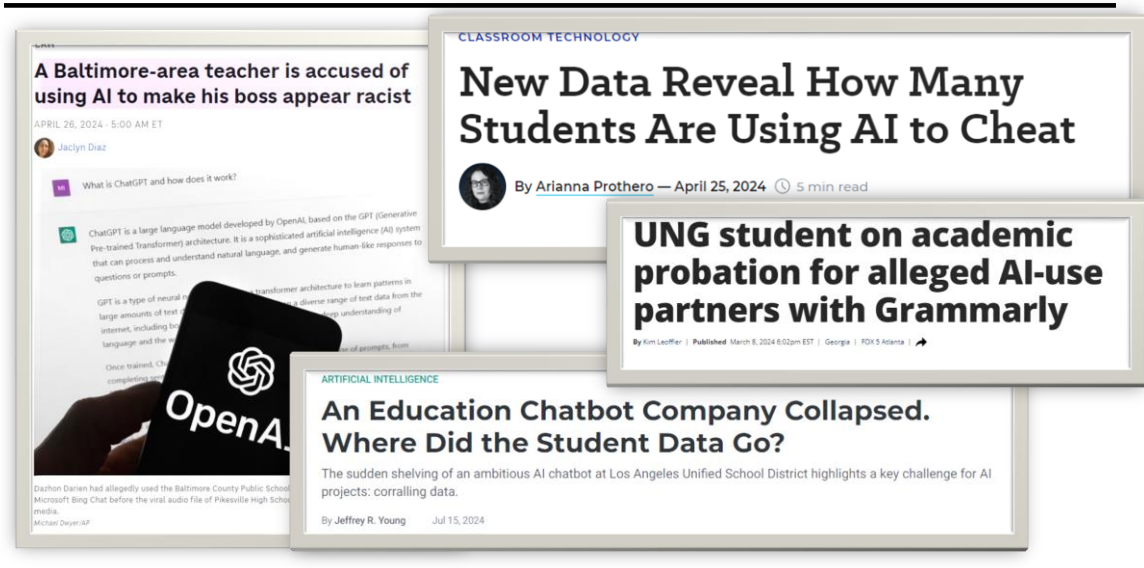
I hope this message finds you well. I am writing to address a concern that has been brought to my attention regarding your interactions with students, specifically regarding your tone and approach towards [Student's Name].

It has come to my attention that there have been instances where your tone and choice of words towards [Student's Name] have been perceived as sharp and have bordered on abusive behavior. As educators, we are responsible for maintaining a positive and supportive learning environment for all students. It is crucial that our communication, both in tone and content, reflects respect and professionalism.

I understand that classroom management can be challenging, and there may be moments of

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## AI System Biases and Daydreaming

Give me a real quote about how AI can't make decisions based off of the data that was provided.

**NOT A REAL QUOTE!!**

"An AI is only as smart as the data it has been given." — David Benigson

Can you make decisions with consideration of all backgrounds and how your decision might affect people with those backgrounds?

As an AI, I strive to provide responses that are inclusive and considerate of different backgrounds and perspectives. However, my ability to do so is limited by the data and programming I've been given. While I aim to account for various contexts and potential impacts, it's important to note that my understanding is based on patterns in the data I've been trained on. For decisions that deeply affect people's lives, it's always best to involve human judgment and input, especially from those directly impacted.

Create a simple diagram of a circle with a dot on the outside

AI IS A  
"KNOW-IT-ALL"

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## AI AS A “RESOURCE” IN PUBLIC SCHOOLS

- **Student Engagement**

- Creating/brainstorming engaging content for students to learn from
- Ex: using generative AI to “visualize” historic events

- **Lessening the Burden of Administrative Tasks**

- Automation of certain tasks to save time
- Ex: using off-line AI to track attendance

- **“Personalized” Lesson-Planning**

- Ex: Using *non-descriptive* inputs into AI to create potential ideas for certain students
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## AI AS A “RESOURCE” IN PUBLIC SCHOOLS

- **Classroom Support**

- With the teacher shortage, AI gives student’s an additional resource to search for answers to their questions\*
- \***ALWAYS** supervise what has been produced by AI for a student (i.e. daydreaming, inappropriate responses, etc.)

- **Assistive Technology and Data Analysis**

- AI could provide an additional set of “eyes” to spotting educational trends for the District and overall progress for certain Students.

- **“Templating” Official Documents**

- Ex: allowing AI to create the first draft of a teacher remand or email.. **PROOF READ**
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## AI AND PRIVACY

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# AI IS A MEGAPHONE, NOT A PERSONAL JOURNAL!

HiddenLayer AI Threat  
Landscape Report Finds That  
77% of Companies Identified  
Breaches to Their AI in the Past  
Year

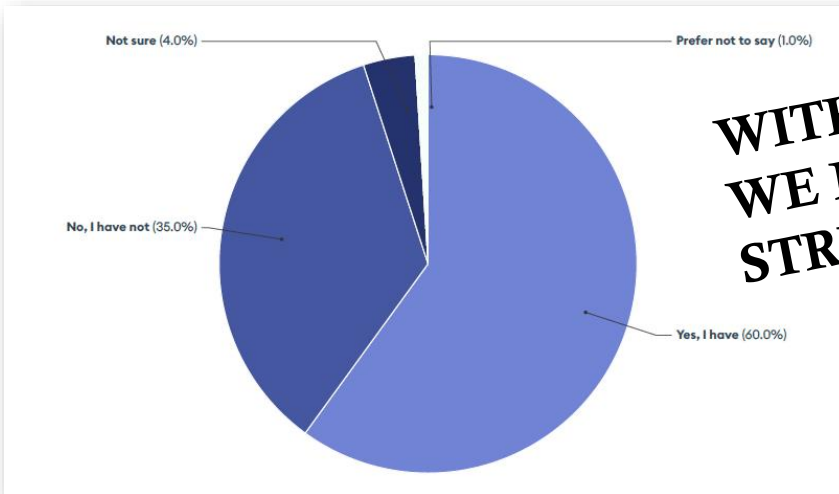


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Source: HiddenLayer 2024 AI Threat Landscape Report

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## Have you integrated artificial intelligence (AI) into your classroom to improve and streamline your daily teaching responsibilities?



**WITH MORE USE,  
WE NEED MORE  
STRUCTURE!!**

Source: October 2023 Forbes Survey from National Educators

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## EXAMPLES OF AI "INPUT" GUIDELINES

### Technology partners

Canva uses technology provided by third party service providers to provide some of our AI Products. You acknowledge that any Input you provide, including any personal data you choose to include within that Input, will be shared with third party service providers we engage to enable functionality within the Service. By using the AI Products, you direct and consent to personal data you include in an Input being transferred to third parties, including OpenAI, LLC. in the United States, which depending on where you reside, may not provide the same level of protection for your personal data.

Subject to your Privacy Settings, we may also share your data with select third party service providers we engage to enable functionality within the Service and they may also use your data to improve their services. This may include any personal data you choose to include within such Input and you acknowledge that our [Privacy Policy](#) applies to the handling of such personal data.

Source: Canvas Terms of Service

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DATA SHARING

FERPA



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## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

- FERPA prohibits the disclosure of a student’s “**protected information**” to a **third party**.
    - **Includes via electronic transmission**
    - a “third party” includes **any individual or organization** other than the student or the student’s parent(s).
  - Protected information is further divided into **three sub-categories**:
    - Educational Information
    - Personally Identifiable Information
    - Directory Information
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## WHICH CATEGORY OF INFORMATION WOULD IT BE OKAY TO PUT INTO AN AI SOFTWARE?

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## GUIDANCE ON APPROPRIATE TEACHER USE

- **DO NOT put ANY student information into an AI system**
    - In usage, use “Jane/John Doe” and refrain from inputting key identifiers.
    - Promulgate “ideas” not “specific solutions”
  - **CONSULT** with IT and **provide log-in information** for teachers of the district that will be using AI in their daily work.
  - For school districts, **ESTABLISH** a centralized AI system management process (work email-based or central tracking).
    - Records of teachers’ usage, search history, and accounts are critical.
  - **TRAIN** your staff on appropriate AI searches/procedures and that any searches are **NOT** confidential, as well as the limitations that AI poses.
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## GUIDANCE ON APPROPRIATE TEACHER USE

- **TRACK** implementation into the daily curriculum by district staff (surveys, lesson planning agendas, student responses to AI-generated suggestions etc.)
  - **ALWAYS** fact check your searches! AI bias and “day-dreaming” are real.
  - If a central system is set up, **WATCH** for data breach notifications and **ACT SWIFTLY** to identify which information was compromised.
  - **USE ARTIFICIAL INTELLIGENCE AS A TOOL, NOT A CRUTCH!!!**
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**COPYRIGHT AND AI**

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## DILEMMAS IN THE WORLD OF COPYRIGHT

- Recently, there has been a huge discussion on whether an AI model can be the “owner” of a copyrightable work.
    - **If** they were deemed an “owner,” they could enforce the bundle of rights associated with the copyrighted work and **prevent others from using such works**
      - Bundle of Rights: reproduction, adaptation, publication, performance, and display.
  - However, a Federal Circuit case has ruled that AI systems **DO NOT** operate in the same capacity that a human would and **cannot** enforce their “rights” surrounding the generated output.
    - Great news for those that would like to use AI-generated material publicly.
    - This also **punts the usage from the IP-realm to the legal realm of “privacy law”**
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## DILEMMAS IN THE WORLD OF COPYRIGHT (CONT.)

- Can a school district use an AI-generated work **without** violating the copyright of the AI-generated work **itself**?
    - Yes. AI-generated works **cannot** be copyrighted.
  - Can an AI-generated work that was “based on a copyrighted work” subject a user to an infringement claim?
    - **It depends.** The Courts and Copyright Office are currently determining the issue.
    - If the Court’s decide that an AI model can infringe registered copyrights, this would be **bad news for users of AI that was “trained” the copyrighted material.** (vicarious infringement).
    - Courts currently held up on the idea that “AI cannot be an author” and therefore “cannot infringe another’s work.”
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**MY ADVICE: **WAIT ON USING GENERATIVE AI!****

**LET THE COURTS FLUSH OUT THE GENERATIVE  
AI/COPYRIGHT ISSUES *BEFORE* EXPOSING YOURSELF  
TO FUTURE LIABILITY**

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**PRIMARY COPYRIGHT POINT FOR NOW (AND THE FUTURE)**

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## PRIVACY CONSIDERATIONS

- Is the work attempting to use **another person’s “image” publicly for the district’s own benefit**? Everybody, including public figures, have some degrees of control over their likeness.
    - Interpret “benefit” very loosely (i.e. supporting local athletes’ fundraisers *could* be interpreted as “benefiting the district” even though it is not a direct or commercial benefit)
  - **Bad Example**: *Generating an AI image of “LeBron James dunking a basketball while wearing purple and yellow” and posting the image online to support your high school basketball team’s fundraiser.*
  - **Risky Example**: *Generating an AI image of “somebody that looks a little like LeBron James dunking a basketball while wearing black and red” and posting the image online to support your district’s “sports” fundraiser.*
  - **Good Example**: *Generating an AI image of “a woman and man taking a jump shot wearing purple and yellow” and posting the image online to support your high school basketball team’s fundraiser.*
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## TIP: READ THE TERMS OF SERVICE AND LOOK FOR WATERMARKS ON WHAT YOU GET BACK FROM AI

- Ensure that you look for images (made by real people) that are **NOT too similar to “already copyrighted works.”**
  - Read the Terms of Use to determine if the AI creator has **“contracted away your right to use the AI images commercially.”**
    - *Ex*: “By using DALL-E, you agree to not use any generated image for commercial gain”
- 

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## TRADEMARK LAW CONSIDERATIONS

ALSO MAKE SURE THAT WHAT YOU  
GET BACK DOESN'T LOOK LIKE  
EXISTING TRADEMARKS

AI IS **NOT** A "FILTER" TO  
CIRCUMVENT THE LAW.

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## OTHER ADVICE FOR THE FUTURE

- **USE YOUR COMMON SENSE AND "PROOF-VIEW" THE GENERATED OUTPUT!!**
    - Deduce what the "common viewer would see the image as," **NOT** what you "put as the input"....
  - **READ** the Terms of Service for the AI that you used.
  - Using generative AI as a "filter" to avoid copyright or other legal barriers is **NOT** an adequate course of action and will get you sued.
  - Again, **WAIT** for the courts to decide whether an AI user can violate copyright before implementing the broad use of generative AI
- 

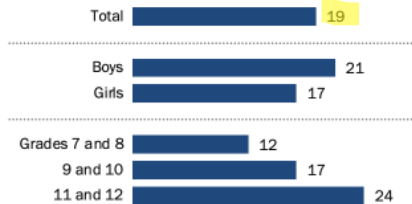
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# PREVENTING AI ABUSE BY STUDENTS

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## Among teens who know of ChatGPT, 19% say they've used it for schoolwork

Among U.S. teens ages 13 to 17 who have heard about ChatGPT, % who say they have ever used it to help with their schoolwork

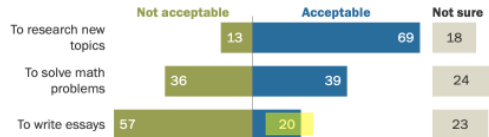


Note: Those who did not give an answer are not shown.  
Source: Survey of U.S. teens ages 13 to 17 conducted Sept. 26-Oct. 23, 2023.

PEW RESEARCH CENTER

## Many teens say it's acceptable to use ChatGPT for research; few say it's OK to use it for writing essays

Among U.S. teens ages 13 to 17 who have heard about ChatGPT, % who think it's \_\_\_ for students to use it for each of the following



Note: Those who did not give an answer are not shown.  
Source: Survey of U.S. teens ages 13 to 17 conducted Sept. 26-Oct. 23, 2023.

PEW RESEARCH CENTER

Roughly one-in-five teenagers who have heard of ChatGPT say they have used it to help them do their schoolwork, according to a new Pew Research Center survey of U.S. teens ages 13 to 17. With a majority of teens having heard of ChatGPT, that amounts to 13% of all U.S. teens who have used the generative artificial intelligence (AI) chatbot in their schoolwork.

Source: Pew Research Center November 2023 Study

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## Sample EIA (LOCAL) Policy:

### Academic Dishonesty

A student found to have engaged in **academic dishonesty** may be subject to grade penalties on assignments or tests and disciplinary penalties in accordance with the Student Code of Conduct. **Academic dishonesty includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.** The determination that a student has engaged in academic dishonesty shall be based on the judgment of the classroom teacher or another supervising professional employee, taking into consideration written materials, observation, or information from students.

## Sample Student Code of Conduct Provision:

### Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Engage in academic **dishonesty**, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

The district may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

**RECOMMENDATION:** Insert language into your Local Board Policy and Student Code of Conduct that **prohibits** students from copying AI generations into their coursework.

**However, whether to implement a TOTAL ban on AI usage is a district-to-district preference!**

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## HOW TO SPOT AI CHEATING

- Fact Check the Material.
- Factual Overload.
- Perfect Sentence Structure.
- Few Grammatical Mistakes.
- Section Division and Titles.
- Dramatic Increase in Student's Work's Quality.
- Copy-and-Paste Errors by Student.
- Repetition.
- Lack of Emotion in the Writing.
- Use of a Plagiarism Detection Software

### The Descent into Savagery: An Analysis of "Lord of the Flies"

#### Introduction

"Lord of the Flies," a novel by William Golding, is a profound commentary on human nature and society. Published in 1954, the story is set on a deserted island where a group of British schoolboys find themselves stranded without any adult supervision. The novel explores themes of civilization versus savagery, the loss of innocence, and the inherent evil within humanity. Through the characters and their actions, Golding presents a bleak view of human nature and the thin veneer of civilization.

#### Civilization vs. Savagery

One of the central themes in "Lord of the Flies" is the conflict between civilization and savagery. The boys initially attempt to establish a semblance of order and society by electing Ralph as their leader and creating rules. The conch shell, which symbolizes authority and order, becomes a tool for maintaining this fragile civilization. However, as the novel progresses, the boys' civilized behavior begins to erode.

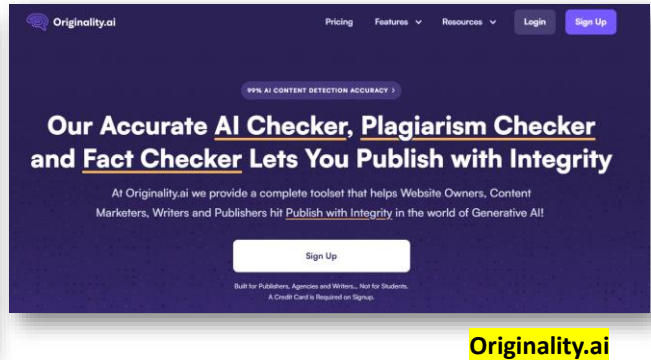
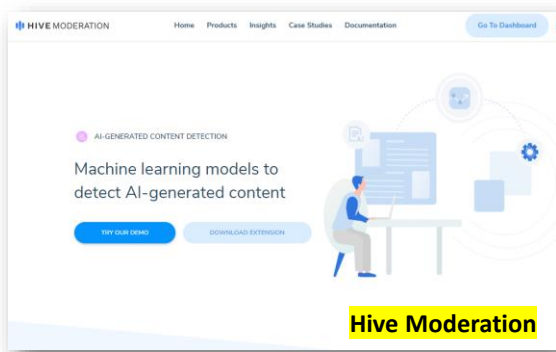
Jack, who represents the pull toward savagery, gradually undermines Ralph's authority. His obsession with hunting and the thrill of the kill illustrate a descent into barbarism. The transformation is starkly depicted when the boys, initially hesitant to kill a pig, eventually revel in the brutality of the hunt. The painted faces and ritualistic dances further symbolize their complete embrace of savagery.

#### Loss of Innocence

The novel also examines the loss of innocence experienced by the boys. At the start, they are depicted as typical children, innocent and playful. However, the absence of societal constraints leads to a rapid descent into violence and cruelty. The killing of Simon, who symbolizes innate goodness, marks a pivotal moment in the novel. Simon's death, mistaken for the mythical "beast," highlights the boys' loss of moral compass and the overpowering influence of fear and hysteria.

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# RECOMMENDATIONS



## MAJOR TIPS

- **DO NOT** use free plagiarism checkers (*data sharing*)
- Only use AI checkers when AI use is *suspected*, **NOT** for every submission!!
- Use off-line and **NEVER** store documents through AI checking software
- Read the Terms of Service and Privacy Policies

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# CONCLUSIONS: ADAPTING DISTRICT POLICY

- **ATTACK** “dishonesty,” **NOT** “artificial intelligence itself” in the Board Policy and Student Handbook.
  - Appropriate language is *already* included in most Texas Board Policies.
- **Potential solution:** **LIMIT** student access to artificial intelligence software on school-wide technology.
- **Potential solution:** **IMPLEMENT** teacher usage of offline AI-detection technology software for written assignments
  - Emphasis on “off-line,” as inserting student writing assignments into an “online” software could be akin to putting a student educational record into an online AI!

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# THANK YOU



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