



**TO:** SUNY University Faculty Senate (UFS)  
**FROM:** Operations Committee  
**RE:** Resolution: Addressing Artificial Intelligence (AI) in the SUNY Workplace  
**DATE:** January 20, 2024  
**LOCATION:** 196<sup>th</sup> Plenary - Virtual  
**Resolution #:** 196-03-1  
**Vote:** For: 44/ Against: 0

## Rationale

**Whereas** AI research is a priority for the Governor and the SUNY Chancellor<sup>1</sup>; and

**Whereas** AI is a rapidly developing field with the potential to have a significant impact on the workplace, and AI functionality is being integrated into the everyday tools that we utilize in our everyday tasks; and

**Whereas** the New York State Office of Information Technology Services published an IT policy for the Acceptable Use of Artificial Intelligence Technologies<sup>2</sup> to establish guidelines for state entities; and

**Whereas** these laws, policies, and procedures<sup>3,4</sup> still need to be strengthened to address AI. For example, Weinstein (2019) states that “FERPA governs the protection of student records but is currently limited in its ability to regulate information obtained from these advanced technologies”<sup>5</sup>, and Li (2021) states, “[FERPA] do not protect against all abuses of privacy but rather are limited to specific context, types of information, and actors. Accordingly, rights to educational privacy are limited.”<sup>6</sup> and

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<sup>1</sup> SUNY. (2023, October 16). SUNY sets ambitious goals for artificial intelligence. <https://www.suny.edu/suny-news/press-releases/10-23/10-16-23/ai-goals.html>

<sup>2</sup> NYS Office of Information Technology Services. (2024). *Acceptable use of artificial intelligence technologies*. <https://its.ny.gov/system/files/documents/2024/01/nys-p24-001-acceptable-use-of-artificial-intelligence-technologies-1.pdf>

<sup>3</sup> Norden, L., & Lerude, B. (2023, November 6). States take the lead on regulating artificial intelligence. <https://www.brennancenter.org/our-work/research-reports/states-take-lead-regulating-artificial-intelligence>

<sup>4</sup> The state of state AI laws: 2023. (n.d.). EPIC - Electronic Privacy Information Center. Retrieved January 11, 2024, from <https://epic.org/the-state-of-state-ai-laws-2023/>

<sup>5</sup> Weinstein, M. (2019). School of surveillance: The students’ rights implications of artificial intelligence as K-12 public school security comment. *North Carolina Law Review*, 98(2), 438–480.

<sup>6</sup> Li, T. C. (2021). Post-pandemic privacy law. *American University Law Review*, 70(5), 1681–1728.

**Whereas** AI integration in our workplace tools must comply with current policies (e.g., HIPAA, FERPA) and procedures<sup>7</sup>; and

**Whereas** it is crucial to safeguard the intellectual property of faculty and staff and prevent AI data gathering from infringing upon SUNY content's copyright<sup>8</sup>; and

**Whereas** there are initiatives like the FACT2 AI Task Group continuing to work on AI in teaching and learning, and the ongoing work of the SUNY Strategic Research and Investment (STRIVE) Task Force on AI that can include recommendations in the current policies and procedures in the SUNY workplace; and

**Whereas** the UFS Graduate Academic Programs and Research Committee is working on a white paper regarding AI use in research and graduate education; and

**Whereas** our everyday tools can indirectly affect our decision-making through AI bias, it is important to take steps to ensure fair, unbiased influences.

## Resolution

**Therefore be it is resolved** that UFS requests that the SUNY Chancellor and SUNY administration develop and implement clear policies and procedures for the use of AI in the workplace that address these concerns<sup>9</sup>;

**Be it further resolved** that UFS recommends that representation from UFS and other campus stakeholders be involved in the policy planning. The FACT2 work group has a mix of faculty and instructional support staff from across SUNY campuses; the AI Task Force has a steering committee and 5 work groups with representation from SUNY System Admin and from administration and faculty from campuses;

**Be it further resolved** that UFS recommends that these policies and procedures include recommendations from the work being done by other SUNY initiatives like FACT2 and STRIVE, as well as the following:

- A SUNY definition of AI;

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<sup>7</sup> George, B., & Wooden, O. (2023). Managing the strategic transformation of higher education through artificial intelligence. *Administrative Sciences* (2076-3387), 13(9), 196. <https://doi.org/10.3390/admsci13090196>

<sup>8</sup> Congressional Research Service. (2023). Generative artificial intelligence and data privacy: A primer (Report No. R47569). <https://crsreports.congress.gov/product/pdf/R/R47569>

<sup>9</sup> University of California. (2021). *Responsible artificial intelligence: Recommendations to guide the University of California's artificial intelligence strategy*. <https://www.ucop.edu/ethics-compliance-audit-services/compliance/uc-ai-working-group-final-report.pdf>

- A description of the potential benefits and risks of SUNY employees using AI in the workplace;
- Guidelines for the ethical use of AI;
- Guidelines for acceptable use of AI by faculty, staff, and students, including protection of institutional data, compliance with such policies as FERPA, HIPAA, and academic integrity;
- Procedures for ensuring the accuracy and reliability of AI;
- Procedures for addressing potential bias in AI;
- Procedures for protecting the privacy of individuals who are affected by AI;
- Procedures for ensuring that employees are trained on the use of AI.

**Be it further resolved** that UFS requests information on how the SUNY Chancellor will explore professional development that addresses the use of AI in the SUNY workplace; and

**Be it finally resolved** that UFS requests that the SUNY Chancellor share updates on the progress of developing and implementing these policies and procedures before the 2024/25 academic year.