(Draft) Version 5.6 * **Note this is a living document so it will change/update frequently.**

COBA Policy for Use of AI with Teaching (only)

by Dr. Mark Barratt Date: 02/15/2026

INTRODUCTION

Before listing the specific policy for the Use of AI with Teaching within the College of Business of Administration (COBA), there is a brief discussion of the Objectives and Intentions regarding the use of Artificial Intelligence (AI), followed by some ongoing discussion points. The discussion concludes with a brief discussion of the elements that collectively constitute teaching here within COBA.

It should be noted that the *Use of AI with Teaching policy* is *subject* to any overriding policy issued by Marquette University. For example, if the University issued a policy entirely banning the use of AI for any grading policy, COBA and its faculty (and teaching/graduate assistants) would be bound by the University's policy. [**Action**: COBA needs to decide if we want to follow the University or take a possibly stricter stance. Currently the University guidelines are some "wishy-washy"].

OBJECTIVES AND INTENTIONS:

1. Initially, in response to the many risks of teaching with AI, (for example, data security, reputational, breaches of FERPA, and copyright infringement, etc.) Marquette's Office of the General Counsel (OGC) recommended a *complete ban* on the use of AI for any purpose. As industry is already demanding graduates with AI experience and, thus, a complete ban would not effectively serve our students' needs, this policy is an attempt to facilitate the education of students in utilizing AI. We need to minimize the *risk* of litigation arising from the *inappropriate* use of AI and copyrighted material e.g., textbooks, student assignments, website data, and to maintain compliance with federal and state regulations. e.g., FERPA or IRB (Institutional Review board – see Appendix C below).

2. It is COBA's *primary* objective to develop an initial policy that is reasonable, allowing faculty (and Graduate/Teaching assistants) to utilize many of the *productivity/augmentation* benefits of Artificial Intelligence (AI) while maintaining COBA's stated approach of the *ethical and responsible use of AI*. It should be noted that this policy will evolve over time but serves as a *starting point* for all faculty (full and part-time) and teaching/graduate assistants.

3. In line with Marquette University's Jesuit mission, AI should be seen as a tool to *augment* faculty's work in relation to teaching, but not to *replace* their individual knowledge and expertise, or to remove the "human from the loop". Output

from any permitted pedagogical use of AI should be thoroughly reviewed by faculty for accuracy before it is used for any teaching purposes.

4. This policy sets out the basic rules that faculty and graduate/teaching assistants *must always* follow. The guidance document that accompanies the general policy for AI use will provide examples of acceptable uses of AI. Faculty are welcome to submit examples of potential acceptable use to the COBA AI committee (*to be established*) for inclusion in the guidance document.

5. As it is typically not possible for policies to capture all contingencies, an organization is often forced to create *exceptions* to a policy. These exceptions create risk and, as such, COBA needs a structured and strictly controlled process to handle reviewing and granting exceptions without letting the risk *created by the exceptions* get out of control. We introduce the concept of *risk exceptions*, which if followed would allow for the use of artificial intelligence-based tools/applications. Before starting the use of any AI-based tool or application a faculty member must apply for and receive confirmation that the AI-based tool/application complies with Marquette's data security and cybersecurity policies and then apply to COBA for a review for compliance with the *ethical* and *responsible* usage under this policy. It is only when these two steps are completed that the AI-based tool or application can be used in conjunction with students for teaching purposes.

DECISION POINTS – MOVING FORWARDS!

Safe AI Tools:

- Currently, the only AI tools that are safe for faculty (including Graduate or Teaching Assistants) to use are CoPilot Premium and MS 365 CoPilot, as they do not feed user data back into the underlying large language model for training purposes.

Access to More AI Tools:

- The college is currently reviewing the use of an open-sourced platform "Amplify" (Link) which would facilitate access to and use by faculty and staff to a growing number of AI models. [**Action: TBD**]

Questions about Existing tool usage with COBA:

- There are already many other tools that faculty have been accustomed to using, e.g., Turnitin, Grammarly, etc. that are built on the use of AI. While the policy does not allow or ban their use, such use needs to be reviewed.
    - Turnitin is AI-powered for plagiarism, AI-use detection, and Online grading. Turnitin for plagiarism is hosted and thus is compliant with FERPA, however the Online (automated) grading goes against this policy and faculty should ensure this option is turned off. AI-use detection is not to be used as there is no legal basis for penalizing a student on this basis.
    - As for Grammarly, while this is primarily concerned with improving the user's grammar, i.e., proofreading, it is based on an AI tool that could significantly re-write the user's work thus creating an academic integrity issue. There are also concerns about the fairness/equity of student use, as the paid versions are not necessarily available to low-income students. Finally, sustained use of Grammarly may undermine learning outcomes, as students become overly reliant on the tool rather than developing their critical thinking skills. [**Action**: COBA needs to decide to what extent Grammarly may or may not be used by faculty, or students.]
- There is some online grading functionality within D2L that needs to be reviewed, which may be problematic relative to this policy, and as such needs to be reviewed. [**Action**: MB to follow up on this].

Risk Exceptions:

- For the granting of risk exceptions, we need to establish an **AI Ethical and Responsible Use** committee, perhaps a subset of the COBA AI Committee. The role of the AI Ethical and Responsible Use committee would be to:
    - Confirm that the proposed AI-tool/application has been approved by the University in that it complies with the University's data security policies; and
    - Carefully review each proposed AI-tool/application, on a case-by-case basis, to ensure that it meets the ethical and responsible usage requirements of this policy. It is envisaged that this committee would meet monthly.

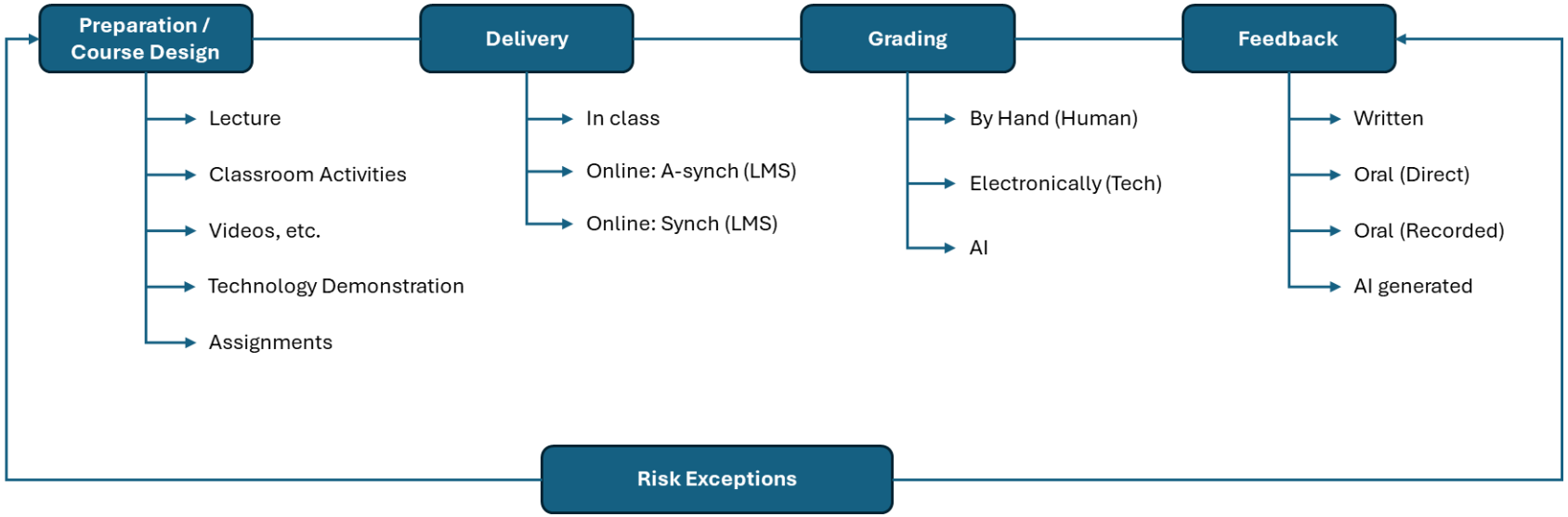
De-Identification of Student's Work

- When tools (AI-based or not) are not hosted within Marquette University's firewalls, FERPA requires any work submitted to a third-party hosted tool must be de-identified prior to submission. The following paragraphs set out how students' work should be so de-identified [**Action**: insert here.] See Appendix B below for further details.

BACKGROUND:

We can sub-divide teaching here within COBA down into four main areas (*see Figure 1 below*) that collectively encompass where we as teacher-scholars at Marquette University should strive to excel. Each of these areas draws on and applies our subject knowledge and expertise

Figure 1: Teaching Activities Covered by AI Policy



Grading is separated from **feedback** for the specific reason that grading is the assignment of a score or letter grade to a student or students' assignment, whereas feedback, which should be *based on and consistent with* the grade, is the "*explanation*" for the score or letter grade, i.e., the rationale for why the student/students scored the grade they received, what content was good, what content was missing, and others ways in which the work being graded could be improved.

While not an area of teaching, the concept of *risk exceptions* is also included, which based on a structured and tightly controlled process, could apply to the four areas of teaching and the policy for such

VERSION 5.6

We propose the following policy for the use of Artificial Intelligence (AI) by all COBA faculty and Teaching/Graduate Assistants within the context of teaching:

Currently approved platforms/tools:

- CoPilot Premium,
- MS 365 CoPilot, or
- Amplify (subject to availability and a review of its compliance with this AI policy and the university's data and cyber-security policies).

A: PREPARATION & COURSE DESIGN

For course preparation and design, we propose the following:

1. **Lecture development**:
    a. AI can be used as a **starting point** for lecture content development (which is like using instructor slides from a book publisher), but all content (including content generated by AI) should be *verified for accuracy* and *lack of bias* based on the instructor's expertise and knowledge.

    b. AI **can be used** to improve the visual appeal of the lecture slides, but instructors should be aware of potential copyright issues with AI-generated images.

2. **Classroom Activities**:
    a. Instructor and student use of **AI-related tools** is limited to working with data that is:

    (i) provided by the instructor, where the data has been purchased or generated for classroom learning purposes.

    (ii) gathered by students from publicly available sources.

b. It is appropriate for instructors to **utilize AI** to generate ideas and framing for class exercises, but this must be reviewed by instructors to ensure that these exercises are *fair, equitable and inclusive* to all students.

c. It is appropriate for instructors to **utilize AI**, subject to access to CoPilot Premium, MS 365 CoPilot, or Amplify, for summarizing students' comments in a discussion setting only to produce a summary of key themes, *subject to how these comments are captured**, and not for grading purposes***. For example, students enter text into PowerPoint slides hosted on Microsoft Teams, which the instructor then summarizes via CoPilot Premium, MS 365 CoPilot, or via Amplify.

3. **Development of videos:**

a. Instructors may use slides they have developed from their **own materials** to create videos for classroom learning purposes only. Slides derived from third parties - that is, created by anyone other than the instructor - must not be incorporated into videos without the *express written permission* of the copyright holder.

b. Here are a few "ethical" GenAI images systems that may be used to support Faculty's content for the development of videos. Note: Most have fees associated with them:

Adobe Firefly — Uses licensed Adobe Stock content and public-domain images to train its generative image models, with a focus on commercial safety and creator rights.

Getty Images AI Generator — Trained exclusively on Getty's licensed content library to ensure legally safe and ethically sourced training data.

Bria AI (Bria) — An AI image generation platform that trains on licensed, ethically sourced data and emphasizes content moderation and intellectual property rights.

4. **Demonstration of Technology**:
    a. It is appropriate for instructors to **demonstrate AI-related tools** and technologies for classroom learning purposes so long as the potential limitations and possible biases are also discussed with students in the class. This is subject to Marquette University or COBA developing a process for approving the use of specific AI-related tools, or the tool is granted a risk exception (as described in this policy).

    b. **Student use of AI-related tools** in a classroom setting is limited to situations where the instructor provides data or content that is either lawfully purchased or generated by the instructor for classroom learning purposes.

5. **Preparation of Assignments**:
    a. It is appropriate for instructors to **utilize AI** to generate course assignments, for example, initial ideas, framing, and data sets for students to analyze, but all assignments must be carefully reviewed by instructors to ensure that these are fair, equal and inclusive to all students. Faculty should include a note to this effect in the assignment.

    b. Unless instructors have access to purchased data sets where the rules for appropriate use must be followed for assignments, it is appropriate for instructors to **utilize AI** to generate data sets if these are clearly denoted as for the *purpose of learning only and* not associated with real companies**.**

6. **Statement of AI Usage:** In all cases of the use of AI, Instructors *should* include a statement in their course syllabus as to which materials have been augmented with AI.

B: COURSE/CLASS DELIVERY

1. **Use of Learning Management Systems**:
    a. Here at Marquette University, and specifically within COBA, course delivery is supported by the appropriate use of Brightspace (aka D2L) as a Learning Management System (LMS).

b. Should a faculty wish to utilize a different LMS, then faculty should follow the Risk Exception process described in this policy. Any such LMS would need to comply with copyright, FERPA and university data and cyber-security policies and COBA's AI (ethical and responsible) usage policy). Currently, no other LMS has been approved to meet FERPA requirements, university data and cyber-security policies, and COBA's AI (ethical and responsible) usage policy.

C: GRADING AND FEEDBACK

1. **Grading**:
   a. Grading (or the determination of a grade for a student's assignment) and Feedback *must* be completed by the instructor. It should be noted that Marquette University currently allows the use of grading for true-false, multiple-choice, and multi-select assessments via the appropriate tool in D2L.

   b. AI tools should *not* replace the instructor's judgment in grading and feedback. However, they may potentially be used to assist in the assessment process, under limited, very specific and *previously approved situations* provided the instructor maintains human oversight and reviews all outputs for accuracy and bias and has the final say in deciding on and implementing the grade. Here the faculty would need to apply for a risk exception as described in this policy.

   c. The guidance document that accompanies the general policy for AI use will, in the future, provide examples of acceptable uses that have been approved by the COBA **AI Ethical and Responsible Use** committee [**Action:** to be established when a risk exception is submitted].

2. Beyond this, no other use of AI-related tools is permitted for grading or feedback whatsoever. For the sake of clarity, under no circumstances should a student's text or quantitative-related content (e.g., essay answer to an exam or assignment, or case study analysis) be assessed using AI.) The primary reason for this is that even with Marquette University-hosted thirty-party tools, the instructor may *be unable to adequately verify* the accuracy of the tool, or the existence of bias in the output.

D: RISK EXCEPTIONS

This section sets out the *structured* and strictly adhered to process for the granting of risk exceptions to COBA's AI usage policy for Faculty and Graduate/Teaching assistants.

1. **Risk Exception Process**: If a faculty member wishes to gain an exception to this policy, then the following steps must be followed:

    a. Contact Marquette's Information Technology Services (ITS) [***contact details to follow***] and request, in writing, approval that the proposed AI Tool/Application meets MU's Data and Cybersecurity Policy. The **Executive Associate Dean** should be notified by the faculty member of this approval request via email. This approval process normally takes 48-72 hours for review and approval. See Appendix A (*below*) for more information.

    b. Once the use of the tool has been approved by ITS, then the faculty member should apply [*form to follow*] to COBA's **AI Ethical and Responsible Use** Committee, requesting approval that the AI Tool/Application meets the ethical and responsible usage covered in this policy.

    c. When this **Ethical and Responsible Use** process has been completed, the faculty member is free to *pilot* the use of the AI tool/application. When piloting the use of the AI Tool/Application, the faculty member must inform students that the use is only on a *pilot* basis. During this pilot use, the faculty member should make every effort to ensure that any outputs of the AI tool/application are accurate and free of bias.

2. **AI Ethical and Responsible Use Committee**:

    a. This ad-hoc committee will comprise the **Dean**, the **Executive Associate Dean**, and the **Department Chair** of the applying faculty member, along with two further COBA **Department Chairs**, nominated by the **Executive Associate Dean**.

b. This committee will consider whether the proposal is ethical and responsible. A majority decision by the committee is required for approval.

Appendix A: Data Security

Below is a brief overview of what Marquette's ITS look for in a tool when it is being evaluated:

- Data Ownership: Marquette University retains ownership of all data ingested and produced during AI interactions.
- Data Control and Retention/Deletion: Marquette University maintains control of all data ingested and produced as part of AI interactions. Marquette University data shall not be used for the training or development of AI Models. The university has the right to have all data deleted within reasonable timeframes.
- Industry and Regulatory Compliance: AI tools must meet industry and regulatory requirements for specific use case or data type. This applies to HIPAA, FERPA, PCI, and other types of regulated data.
- Security: AI tools will meet IT Services information security requirements, including, but not limited to the following:
- Secure Data Storage and Encryption - university data will be encrypted in transit and at rest.
- Authentication and Authorization - AI tools will support Single Sign On technologies and industry standard authentication, authorization, and accounting principles.
- Monitoring and Operations - AI tolls will support activity monitoring capabilities for both interactions and data usage, supporting SIEM, Data Loss Prevention, and incident detection and response capabilities.

Appendix B: FERPA and De-Identification of Student's Personally Identifiable Information (PII)

- Under the Family Educational Rights and Privacy Act (FERPA), simply removing names is insufficient; AI systems must ensure that indirect identifiers (biometrics, behavioral patterns, etc.) cannot be combined to re-identify a student.
- Under FERPA, simply removing names is insufficient; AI systems must ensure that indirect identifiers (biometrics, behavioral patterns, etc.) cannot be combined to re-identify a student.

Appendix C: IRB Oversight of Piloted Programs in the Classroom

The Institutional Review Board (IRB) approves research involving human subjects under the jurisdiction of the university. All research activities involving human subjects conducted by Marquette faculty, staff and students must be approved by the Marquette IRB prior to any study-related activities taking place. Since piloted classroom programs have the potential to collect data from students for the purpose of research, they must receive IRB exemption (i.e. non-research status) or are subject to IRB protocol review.

Non-research status

- Non-research status is achieved if data is collected from students, but is not used for publication or other external purposes.
- Collected data may be used for internal information (i.e. to report to the college or university for instructional purposes) but may not be shared with external agencies or publication outlets. IRB is responsible for determining non-research status.
- To receive this determination, the program should be submitted into the Kuali system for IRB review at the following link: https://www.marquette.edu/research-compliance/irb/kuali-submit-manage-protocols.php. Please note that all programs that potentially collect data from students should submit to this link for IRB determination of non-research status.
- Should Research status be determined, then further review will follow as described below.

Research status

- If a piloted classroom program is determined to be research status, then it will be subject to IRB protocol review and must be compliant with IRB human subjects related procedures.

- Pilot programs determined to have research status are required to submit a detailed description of study protocols (how the data will be collected, protected, and shared, for what purpose it will be used, procedures for informed consent, etc.).
- The IRB will then review these protocols for compliance.
- Employees on the IRB submission will be responsible for adhering to all IRB requirements.