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31 July 2023

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25 July 2023

Type of Action
Revision

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- 1.0 SUBJECT: Generative Artificial Intelligence Policy
- 2.0 DISTRIBUTION: Executive Branch Cabinet and Non-Cabinet Agencies
- 3.0 FROM: 
Jeff Maxon, Interim Chief Information Technology Officer

4.0 PURPOSE:

The purpose of this policy is to outline the acceptable use of generative artificial intelligence (AI). The policy is created to protect the safety, privacy, and intellectual property rights of the State of Kansas.

5.0 BACKGROUND:

As generative AI technology progresses, chatbots, virtual assistants, and other systems based on it are becoming more prevalent. These can include standalone systems, be integrated as features within search engines, or be overtly or transparently embedded in all manner of other software tools. Examples include ChatGPT and DALL-E from OpenAI, Microsoft Bing's chat, Microsoft 365 Copilot, and Bard from Google.

Generative AI tools have the potential to enhance productivity by assisting with tasks like drafting documents, editing text, generating ideas, and software coding. However, these technologies also come with potential risks that include inaccuracies, bias and unauthorized use of intellectual property in the content generated. In addition, content created by AI, and the public availability of information submitted to the AI, could pose security or privacy concerns.

6.0 ORGANIZATIONS AFFECTED: Executive Branch Cabinet and Non-Cabinet Agencies

7.0 REFERENCES:

- 7.1 [ITEC Policy 7230A](#)
- 7.2 [State of Kansas Social Media Policy](#)

8.0 DEFINITIONS:

- 8.1 Generative artificial intelligence (AI) uses advanced technologies such as predictive algorithms, machine learning, and large language models to process natural language and produce content in the form of text, images, or other types of media. Generated content is typically remarkably similar to what a human creator might produce, such as text consisting of entire narratives of naturally reading sentences.
 - 8.2 Restricted Use Information as defined in ITEC 7230A.
 - 8.3 Entity is defined as agencies, boards, commissions under the direction of the Governor or agents and contractors acting on behalf of those agencies, boards or commissions.
- 9.0 POLICY: This policy shall serve as the primary governing document for usage of generative artificial intelligence technology as a user or related activities by the entities. While any entity may impose additional restrictions through their own policy, such policies must not conflict with the provisions outlined in this policy.
- 9.1 This policy applies to all business use cases involving the State of Kansas, including but not limited to:
 - 9.1.1 development of software code,
 - 9.1.2 written documentation (i.e., policy, legislation, or regulations) and correspondence (such as memorandums, letters, text messages, and emails),
 - 9.1.3 research,
 - 9.1.4 summarizing and proofreading documents,
 - 9.1.5 making business decisions that impact short-term or long-term activities or policies and procedures.
 - 9.2 Responsibilities
 - 9.2.1 Responses generated from generative AI outputs shall be reviewed by knowledgeable human operators for accuracy, appropriateness, privacy and security before being acted upon or disseminated.
 - 9.2.2 Responses generated from generative AI shall not:
 - 9.2.2.1 be used verbatim,
 - 9.2.2.2 be assumed to be truthful, credible, or accurate,
 - 9.2.2.3 be treated as the sole source of reference,
 - 9.2.2.4 be used to issue official statements (i.e. policy, legislation, or regulations),
 - 9.2.2.5 be solely relied upon for making final decisions,
 - 9.2.2.6 be used to impersonate individuals or organizations.
 - 9.2.3 Restricted Use Information (RUI) shall not be provided when interacting with generative AI. Refer to ITEC Policy 7230A Section 9.16 Account Management - RUI.

9.2.4 Material that is inappropriate for public release shall not be entered as input to generative AI. All information that is provided shall be subjected to the same standard as referenced in the State Social Media Policy and shall be treated as publicly available.

9.2.5 Material that is copyrighted or the property of another, shall not be entered as input to generative AI.

9.2.6 Generative AI shall not be used for any activities that are harmful, illegal, or in violation of state policy or agency acceptable use policy.

9.2.7 Agencies shall ensure contractors disclose in their contracts the utilization of generative AI or integrations with generative AI platforms.

9.2.8 Agency contracts shall prohibit contractors from using State of Kansas RUI or other confidential data in generative AI queries or for building or training proprietary generative AI programs unless explicitly approved by the agency head with consultation from the Chief Information Security Officer.

9.2.9 Contractors utilizing Generative AI to build software explicitly for the State of Kansas must demonstrate positive control over all data input into the system.

9.3 Software Code development

9.3.1 Software code generated by generative AI shall only be implemented after the entity has identified and mitigated all business and security risks related to its use.

9.3.2 All usage of software code generated by generative AI shall be annotated.

10.0 RESPONSIBILITIES:

10.1 Heads of entities are responsible for establishing procedures for their organization's compliance with the requirements of this policy.

10.2 OITS is responsible for the maintenance of this policy.

11.0 HISTORY: This PPM was originally issued #8200.00, dated 19 May 2023.

12.0 CONTACT: Chief Information Technology Architect