Deschutes County Information Technology Policy No. IT-2

Effective Date: August 21, 2024

USE OF ARTIFICIAL INTELLIGENCE (AI)

STATEMENT OF POLICY

Generative Artificial Intelligence (AI) refers to technology that can generate human-like text, images, or other media content using AI algorithms. These tools are sophisticated models that predict the language, text, audio, or video that satisfies input.

Deschutes County recognizes the transformative potential of generative AI technologies in shaping the future of our business landscape. The County will regularly review and update this policy to keep it aligned with ethical and legal standards and technological advancements in AI as frequently as needed.

The purpose of this policy is to provide a set of guidelines and best practices for the responsible, ethical, legal, and secure use of AI within the business operations of Deschutes County. This policy details the requirements that employees, volunteers and others acting on behalf of the County must follow when using generative AI tools, including the security risks and the protection of confidential data.

This policy designates two approved real time request/response generative AI systems for Deschutes County. All other generative AI systems must receive approval from Deschutes County IT prior to use by filling out this form: https://weblink.deschutes.org/Forms/airequests

DEFINITIONS

GENERATIVE AI:

- Real time request/response (Online-based) - generative AI that users can interact with in real-time through the internet, providing immediate responses to their queries, requests or prompts using generative AI techniques. This type of AI could be used in various applications such as chatbots (ChatGPT, Microsoft Copilot, Claude, etc.), content generation platforms, customer support systems, image creation, and more.

- Software embedded generative AI[1] - Integration of generative AI algorithms directly into software or hardware systems, allowing them to autonomously create content, make decisions, or generate outputs based on certain inputs or parameters (virtual meeting notetakers, Slack AI, etc.). This type of AI is designed to operate within

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[1] Embedded AI may be more difficult to recognize. If there are questions about AI types, please reach out to Deschutes County IT staff for assistance.

constrained environments, such as Internet of Things "IoT" devices, mobile apps, or embedded systems in various machines.

DESCHUTES COUNTY IT:

Deschutes County IT is the central IT Department for the County.

APPLICABILITY

This policy applies to all officials, employees, volunteers, contractors, and others acting on behalf of the County who use generative AI tools or platforms. This policy includes both online-based generative AI, which functions in a real time request/response format, as well as embedded generative AI which comes built into many software platforms. Any questions about the applicability of this policy should be directed to Deschutes County IT.

Unless specifically directed by their supervisor, employees are not required to use AI systems and tools. Members of the public should be informed when they are interacting with an AI tool and have an alternative to using AI tools made available to them or the option to opt out of AI use.

POLICY AND PROCEDURE

Use of AI Systems and Training:

~~When creating accounts with approved AI providers for generative AI tools, County staff have the option to use either their official County email address or their personal email address.~~

All employees are required to complete the AI training in the Deschutes County eLearning portal before using AI for work-related purposes.

Approved AI Systems

There are two** ~~approved~~ enterprise-~~-~~wide AI real-time request/response ~~systems~~solutions ~~provided~~permitted for use at Deschutes County. Other platforms are reviewed on a case-~~by-~~by case basis as they are submitted to IT and are documented on the IT SharePoint site if subsequently authorized~~:~~

1. ~~ChatGPT (OpenAI)~~GovAI – Licensed for all County users, this AI-powered tool allows users to upload data (e.g., documents, spreadsheets, etc.) while automatically detecting, and in some cases removing, certain recognized sensitive data.
2. Copilot (Microsoft) – Licensed on a per user, per year basis. It integrates AI-powered assistance across Microsoft 365 applications, such as Word, Excel, Outlook, Teams, and PowerPoint. It operates within the County's governed environment, meaning data security and compliance policies are enforced.

*Please visit the IT SharePoint intranet website for ~~newly~~additionally approved applications.

Any use of non-approved AI systems is strictly prohibited. Contact Deschutes County Information Technology to have their staff review and approve the use of additional AI systems.

~~Employees are responsible for staying updated on any changes to the platform's policies or terms of use regarding generative AI. They should also keep informed about developments in AI technology and how it may impact their usage.~~

Software-Embedded Generative AI

- Prior to utilizing or enabling generative AI embedded in any software platform on Deschutes County computing resources, IT shall be consulted to assist with security recommendations, configurations, and best practices.
- Employees must not give access to Deschutes County AI tools outside the organization or allow external AI tools to have access to County resources (E.g., AI Notetaker Bot, file attachment option in ChatGPT) without prior approval from Deschutes County IT.
- Employees must not share their access credentials or allow unauthorized individuals to use the generative AI tools on their behalf.
- Generative AI tools and platforms must be configured securely, following industry's best practices and vendor recommendations. This includes ensuring the latest updates, patches, and security fixes are applied in a timely manner.
- Any software containing embedded AI must follow Deschutes County password policy. The recommended authentication is through Single Sign On which can be set up by Deschutes County IT.

Data Privacy and Security:

~~Currently, t~~The County has~~does not have~~ access to ~~any~~ two generative AI tools ~~or~~ and platforms ~~in which the data input/output~~ where data input and output ~~-is~~ is governed by the County. ~~Therefore~~However, care must be taken when utilizing generative AI tools or platforms, especially when that use involves Deschutes County data.

- Gov~~a~~AI: While GovAI automatically removes certain recognized data (such as Social Security numbers and credit card numbers) before sharing externally, all efforts sh~~ould~~all be made to anonymize data before inputting into the system.
- ~~Efforts should be made to anonymize data eliminating any elements that could be traced back to Deschutes County.~~
- Microsoft Copilot: Copilot functions within the secure Microsoft environment ~~ould~~allensuring that sensitive data is managed appropriately when interacting with the AI tool.
- Other approved AI tools or platforms:
  - ~~Efforts should be made to anonymize data~~Data shall be anonymized eliminating any elements that could be traced back to Deschutes County.
  - Employees must adhere to Deschutes County data privacy and security standards, State and Federal laws, Health Insurance Portability and Accountability Act (HIPAA), Criminal Justice Information System (CJIS), Personally

Identifiable Information (PII), and Protected Health Information (PHI) when using AI systems.

- Using restricted or confidential organizational data with AI is prohibited. Employees must not upload or share any data that is confidential, proprietary, or protected by compliance / regulation. This includes data related to customers, employees, or partners.

All employees of generative AI must comply with Deschutes County acceptable use IT-1 policy, ethical guidelines governing intellectual property, privacy, data protection, and other relevant areas.

County-provided tools are intended solely for official business use. Employees mustshall not use these tools for personal projects, non-work-related tasks, or any activities unrelated to their job responsibilities.

Employees must respect and protect intellectual property rights, both internally and externally. Unauthorized use of copyrighted material or creation of content that infringes on the intellectual property of others is strictly prohibited.

All employees must familiarize themselves and comply with all terms of use (e.g. licensing agreements, privacy policies, codes of conduct, etc.) of the generative AI tool that they utilize.

Employees must notify IT if/when they are in violation of terms and condition of use of the AI tool that they utilize or if they are notified of a violation of terms of use from an AI tool.

It is the sole responsibility of employees who use AI generated output in their work product to ensure its accuracy and compliance with County policies and all applicable laws. Employees will be held solely responsible for any AI generated output that results in such violations.

Responsible Use:

Employees are responsible for ensuring that the generated content produced using generative AI is accurate and aligns with the organization's values, ethics, and quality standards. Generated content must not be used if it is inaccurate, misleading, harmful, or offensive. Any AI generated product utilized by an employee will be deemed adopted by the employee and treated as the employee's individual work product.

For any tool or platform outside of the two authorized by Deschutes County IT, eEmployees are responsible for staying updated on any changes to the platform's policies or terms of use regarding generative AI. They should also keep informed about developments in AI technology and how it may impact their usage.

All interactions with AI tools or software, including but not limited to prompts, responses, outputs, and decision-making processes, are subject to public record requests in accordance with applicable public records laws. Employees must use AI tools in a manner consistent with public transparency requirements and should assume that any AI-generated content may be

disclosed upon request. For any AI software or tool outside of the two approved AI tools, employees shall not retain any records of queries and must delete all chat history in the AI tool immediately.

Employees must actively work to identify and mitigate biases produced by AI systems. They should ensure that the output utilized from the AI systems is fair, inclusive, and does not discriminate against any individuals or groups. Employees will be held solely responsible for any AI output that is utilized in their work product that is biased or discriminatory.

AI tools can generate inaccurate and false information. Employees must fact check, and review content generated by AI. Employees are responsible for the outcomes generated by AI systems and should be prepared to explain and justify those outcomes. Employees shall not retain any records of queries and are required to delete all chat history in the AI tool they utilize immediately.

Cybersecurity:

Any suspected or confirmed cybersecurity incidents related to generative AI usage should shall be reported promptly to the Deschutes County IT Department. Examples could include unsolicited links with responses, unknown or unverifiable scripts or code, suggested downloads from chat bots, and requests for restricted data.

Unlawful Activities:

Employees must report any suspected violations of this policy or any potential ethical, legal, or regulatory concerns related to AI use to their supervisor.

Departments/Offices may provide additional rules on departmental/office use of AI for their staff.

Non-compliance with this policy may result in disciplinary action, up to and including termination of employment, and legal consequences, if laws are violated.

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