

Educational Committee

## **The Faculty of Law's Policy for Generative Artificial Intelligence (GAI) in Teaching and Assessment as Applicable to Teaching Staff**

Approved by the Educational Committee on 6 December 2023 and valid as of 15 January 2024.

This Policy applies to GAI tools<sup>1</sup> in all courses at the Faculty of Law. GAI tools may entail certain challenges for teaching staff, such as determining whether a student has achieved the set learning outcomes, and there may be situations in which teaching staff need to review forms of assessment and learning outcomes. The Policy guides teaching staff regarding how they may use and integrate GAI tools in teaching and assessment and the options they have to check the unauthorised use of GAI tools. The Policy also specifies the information on GAI tools and their use that teaching staff must provide for their students. At the end of the document, there is also advice to teaching staff about how they can utilise the opportunities that GAI tools may entail for teaching.

Teaching staff may deviate from certain parts of this policy if there is a justification that supports the students' learning and fulfilment of the course's learning outcomes. Exceptions and justifications are to be clearly communicated by the course director to the students at the start of the course.

The Policy may be updated to ensure that it addresses the challenges and opportunities that result from the use of GAI tools and that it is consistent with Lund University's overall policy for these tools. [See](#)

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<sup>1</sup> GAI tools are "a type av artificial intelligence (AI) that can generate text, images or other media in response to prompts". ([Harvard Online](#)).

[general guidance for teaching staff at Lund University regarding AI in teaching.](#)

### All teaching staff must adhere to the following rules

- Teaching staff may not use detection tools and similar to detect the unauthorised use of GAI tools, unless such detection tools have been approved by Lund University.<sup>2</sup> Any approved tools will in such cases be listed on the [Unit for Educational Services website](#).
- For a teaching staff member to assign a grade of Fail for an assignment due to a lack of independence, it must be stated in the course syllabus' learning outcomes that the material must be the result of independent work.
- If GAI tools are recommended or required for learning activities or in assessment, all students must have access to them. If the tool entails a cost, this is to be clearly stated in the course information provided before the start of the course.
- Course assignments are not to be designed in such a way that students need to disclose personal data in a GAI tool.
- Copyrighted material and material that contains personal data may not be used in GAI tools, unless the tool has been approved for use at Lund University. Any approved tools will in such cases be listed on the [Unit for Educational Services website](#).

### The impact of GAI tools on assessment at the Faculty of Law

GAI tools may affect assessment, depending on its form. If the form of assessment is to analyse material and compile texts, such as academic papers and take-home exams, GAI tools may make it more difficult for the examiner to assess the students' skills, knowledge and judgement. Assessment in this case may need to be restructured.

Below are recommendations for various forms of assessment.

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<sup>2</sup> This is due to intellectual property rights and the General Data Protection Regulation (GDPR), as the use of detection tools entails the storage of student material on servers over which Lund University has no control or for which it does not have a relevant contract (yet).

**Recommendations for exams**

- For on-campus written exams and oral exams, no special consideration need be taken regarding GAI tools, unless the students have access to an internet connection.
- For take-home exams, assignments should be designed in a way that makes it less advantageous for students to use GAI tools. This can be done, for example, by basing the assignments on applied cases.
- For take-home exams, it is particularly important to state clear requirements for source referencing, as current GAI tools are poor at creating correct citations.
- Multiple choice tests, short answers, and time limits can be used as appropriate supplements to assess the students' knowledge.
- GAI tools can also be integrated as a part of the assessment. Students could, for example, be given an assignment to assess and evaluate GAI-produced text. In this case, it is also important to state clear requirements for source referencing. See below regarding how students are to cite GAI-generated material.

**Recommendations for master thesis, academic papers and other written course assignments**

- In order to establish that the student has fulfilled the learning outcomes for written course assignments, the course director can consider combining the written assignment with an oral presentation and/or peer review. It is also advisable for the lecturer or supervisor to follow the student's development during the writing process.
- The students must be able to account for, justify, develop, and modify all parts of their work.

**The following information should be provided to the students at the start of the course:**

***Communication regarding approved aids***

The course director should:

- Clearly communicate when students may use GAI tools. This could, for example, concern the students using GAI tools for:
  - brainstorming
  - information gathering
  - language enhancement
  - translation.
- Clearly communicate when students may not use GAI tools, for example in:
  - formulation of text
  - copying of generated text
  - answering questions.

Note that the omission of such information may mean that a disciplinary case cannot be successfully pursued.

- Clearly communicate if you deem that GAI tools are not appropriate for specific components of the course. This should be communicated at the start of the course, for example in a run-through covering grading criteria or exam information.

### ***Communication regarding the risks of approved aids***

The course director should:

- Clearly communicate the risks involved in using GAI tools, for example:
  - getting false or misleading information
  - copyright aspects when entering someone else's material
  - that the student loses control over entered information (copyright).
- Communicate that it is compulsory for the students to state if, and if so how, they have used GAI tools in the assignment, e.g. in a method section.

### **Regarding the citation of permitted GAI-generated material**

Inform the students that they must be able to produce a complete printout of the question or questions, the instructions used, and the answers that the GAI tool produced, as an attachment. You are recommended to [read this article by the MLA Style Center about how to cite regarding GAI tools.](#)

## Regarding cheating and academic integrity

If students cheat by using GAI tools, this should be considered as the use of unauthorised aids or deception in an examination. However, for an offence to be classified as cheating and referred to the Disciplinary Board, the course director must have clearly communicated to the students what is considered to be the unauthorised use of GAI tools.

[Information on academic integrity for teaching staff is available on the Staff Pages.](#)

## Further advice to teaching staff on the use of GAI tools

Because GAI tools have become accessible for most teaching staff members and students, and are likely to become even more sophisticated and easily accessible, all teaching staff are urged to:

- Acquaint themselves with these tools to explore how the tools can be used on courses and in assessment.
- Reflect on how GAI tools can support or hinder students regarding the fulfilment of learning outcomes.
- If there is a risk that the use of GAI tools hinders students from fulfilling learning outcomes, the lecturer should inform the students about this, and explain *why* it is important for them not to use GAI tools when carrying out course assignments. An example of a risk that may need to be explained is the risk that GAI tools impede students from developing their skills to structure texts or present arguments.
- Discuss with colleagues the role that GAI tools can play expressly for the discipline of law regarding, for example, specific prohibitions or the risks that GAI tool use entails for professional lawyers regarding confidential material or other sensitive information.
- Contact the Legal Services and Records Management Division at Lund University if there is uncertainty about which legal aspects should be considered.