

71 - LoU Artificial Intelligence Technological Change

Generative AI and Copyright: Letter of Understanding

The parties agree that Artificial Intelligence will more frequently appear in the educational setting over the life of this contract. They further agree that:

A. The parties acknowledge that definitions of generative artificial intelligence ('GAI') vary, but agree that the term generally refers to a subset of artificial intelligence that learns patterns from data and produces content, including written, audio-visual, and pedagogical material, based on those patterns, and may employ algorithmic methods (listed for example but not to exclude any other GAI: ChatGPT, Llama, MidJourney, Dall-E).

B. The Institute agrees that because neither traditional AI nor GAI is a person, neither is it an 'educator' or 'teacher' or 'faculty member' or 'instructor' or 'librarian' or 'counsellor' or 'curriculum and instructional specialist' or 'staff member' and written and audio-visual materials produced by traditional AI or GAI without the involvement and consent of designated academic staff shall not be considered 'course material'. That the Institution and the Association agrees not to promote GAI tools (such as a chatbot) as academic staff and that GAI produced written and audio-visual materials that did not involve designated academic staff will not be promoted as educational materials.

C. A staff member will be required to adhere to the Institution's policies regarding the use of GAI (e.g., policies related to ethics, privacy, security, copyrightability or other protection of intellectual property rights).

D. The Institution may not require, as a condition of employment, that a staff member use a GAI program which generates written or audio-visual material that would otherwise be 'course material' (e.g., the Institution may not require an employee to use ChatGPT to write course material).

E. The Institute will not use AI or GAI tools to displace NASA members and their work through redundancy, attrition, loss of hours for Temporary staff, or loss of SIH.