



ADMINISTRATIVE POLICIES

SECTION: 600 – Information Technology	POLICY#: 607
TITLE: Artificial Intelligence Acceptable Use Policy	R & O #: 23-58
	IMPLEMENTED BY PROCEDURE #: 607-A
SPONSORING DEPT/DIV: Department of Information Technology Services (ITS)	
ADOPTED: 09/26/2023	REVIEWED:

BACKGROUND:

Generative Artificial Intelligence (AI) systems, if used properly, can support the County in data informed decision making, being more responsive to community needs, and improving process efficiency to provide well-timed services to the community. Being intentional in the adoption and use of AI technologies can drive innovation, support increased efficiencies in operations and improved experiences for the County’s workforce members and the community. This policy outlines the principles, guidelines, and procedures governing the responsible and ethical use of AI technologies within County government.

PURPOSE: This Policy establishes procedures and guidelines that:

1. Specify the County’s strategic position on the use of Generative AI Applications and models used in support of conducting County business and in accordance with applicable local, state, and federal laws.
2. Maintain confidentiality, integrity, and availability of information used and generated by Generative AI systems.
3. Define the objectives for the County’s usage of Generative AI systems.
4. Define roles and responsibilities related to the County’s usage of Generative AI systems.

APPLICABILITY: This policy applies to:

1. All County Generative AI systems; and
2. All County Cloud Service Sponsors, Department technology sponsors and custodians of the County’s Generative AI systems, including, but not limited to County workforce members including employees, contractors, consultants, temporaries, volunteers, and interns who conduct business in support of the County.

AUTHORITY:

This Policy will be administered by the County Administrative Office in accordance with Section 34 of the Washington County Charter and the authority delegated to the County Administrator in Washington County Code Section 2.04.100.

DEFINITIONS:

Generative AI (GenAI) – Artificial intelligence technology that derives new versions of text, audio, or visual imagery from large bodies of data in response to user prompts. GenAI can be used in stand-alone applications, such as ChatGPT, Copilot, and Bard, or incorporated into other applications, such as Microsoft Bing or Microsoft Office Suite. A generative artificial intelligence (AI) system pairs machine learning (ML) with one or more large language models (LLM) to produce content based on prompts which refers to some kind of input, such as a question, or a photo, or search query, etc. from users. Generative AI systems can produce a range of multimodal content, from written narratives to visual media such as video, to sound. Accordingly, generative AI systems are software that create content.

Generative AI system or AI solution - Any data system, software, hardware, application, tool, or utility that operates in whole or in part using AI.

County Solution Sponsor (CSS) - A department or division representative who sponsors a cloud-hosted solution.

Department technology sponsors and custodians – A department or division representative who sponsors the technology solution (non-cloud based).

GENERAL POLICY:

This policy establishes a comprehensive governance structure for GenAI that allows the County to use powerful technological systems for the benefit of the County as an organization, our workforce, and the community we serve while safeguarding against AI related harm. All County workforce members who use AI in the conduct of County business are required to comply with this policy and should therefore become familiar with, and understand, the objectives, principles, responsibilities, guidelines, and prohibitions contained in this policy.

KEY OBJECTIVES:

- Ensure that all GenAI used by the County or on its behalf adhere to the guiding principles of accuracy, transparency, equity, accountability, utility, and privacy.
- Establish and maintain processes to assess and manage risks presented by GenAI used by the County.
- Align governance of GenAI with existing security and privacy measures in accordance with the following County Administrative Policies:
 - Policy 605 Acquisition of IT Solutions, and its procedure document.
 - Policy 602 Information Technology User Policy.
 - Policy 208 Management, Preservation and Storage of Electronic Public Records.
 - Policy 501 HIPAA Privacy for rules specific to Health Insurance Portability and Accountability Act.

- Policy 606 Cloud Service Policy
- Define prohibited uses of GenAI systems.
- Support compliance with applicable laws and regulation.

RESPONSIBILITIES:

- The County Administrator is responsible for determining whether or not the County will use GenAI.
- County Departments Directors are responsible for ensuring that their workforce members follow this policy and any associated procedures or guidelines associated with any GenAI solution.
- County Counsel is responsible for advising of any legal issues associated with GenAI usage by or on behalf of County Departments.
- The Chief Information Officer (CIO) is responsible for ensuring that GenAI solutions are used in accordance with Policy 605 Acquisition of IT Solutions, and its procedure document, Policy 602 Information Technology User Policy and 606 Cloud Services Policy. If notified by the County contract administrator, the CIO may decide to alter or cease the usage of the GenAI solution if that solution is causing harm or an unacceptable level of risk.
- Each County department has an assigned Privacy Manager (PM). The PM supports the Department Director by ensuring that GenAI systems are used in accordance with the County’s Policy 500: HIPAA Privacy.
- Each County department has an assigned Public Records Officer (PRO). The PRO supports the Department Director by ensuring that GenAI systems are used in accordance with the County’s Policy 208: Management, Preservation and Storage of Electronic Public Records, Including Electronic Mail Correspondence.
- The Information Security Officer (ISO) is responsible for overseeing this policy, the County’s usage of technology in compliance with the County’s Policy 500: HIPAA Privacy and 606 Cloud Services Policy. The ISO is responsible for overseeing the cybersecurity practices of GenAI used by or on behalf of the County Departments.
- The County Finance Department is responsible for overseeing County contracting and procurement.
- County contract administrators are responsible for ensuring that the GenAI solutions and their vendors comply with County policies and through contractual agreements. The County contract administrator is responsible for assessing and addressing the procured GenAI’s value and risk. They will notify ITS if the GenAI solution causes harm or an unacceptable level of risk that outweighs the value.

POLICY GUIDELINES:

Any County Department seeking to purchase and/or operate a GenAI system must comply with the following:

- Follow the County Technology Acquisition requirements as defined in Policy 605 Acquisition of IT Solutions, and its procedure document.
- Undergo Cloud Service Review facilitated by the Information Security Division. ITS will assess the risk of the potential GenAI system and conduct additional review steps as

required in the 606 Cloud Service Policy.

PROHIBITED USES:

The usage of certain GenAI systems are prohibited because they deal with sensitive information and there is a higher risk that they can cause harm. This includes the following prohibited purposes:

- Real-time and covert biometric identification.
- Emotion analysis, or the use of computer vision techniques to classify human facial and body movements into certain emotions or sentiment (e.g., positive, negative, neutral, happy, angry, nervous).
- Fully automated decisions that do not require any meaningful human oversight but substantially impact individuals.
- Social scoring, or the use of algorithmic systems to track and classify individuals based on their behaviors, socioeconomic status, or personal characteristics.
- Cognitive behavioral manipulation of people or specific vulnerable groups.
- Fully autonomous weapons systems or any system that does not align with County values.
- Information categorized by the County as “Restricted.”

County workforce members must not submit any sensitive, confidential, or regulated data, or any personally identifiable data about members of the public or other workforce members, to a GenAI system without prior written consent from their Department Director.

If County workforce members become aware of an instance where a GenAI system has caused harm, workforce members must report the instance to their supervisor and the Information Security Division at infosec@washingtonty.gov.

PERSONAL USE:

Workforce members shall not use personal GenAI accounts to conduct County business. Additionally, workforce members shall not store anything related to County business within a GenAI system that they, as a private citizen, have created for personal use, nor shall they store personal documents or data in a GenAI system that was created for County business purposes.

VIOLATION:

Violation of this Policy may result in disciplinary action up to and including termination.

EXCEPTIONS:

Exceptions to this policy may only be granted by the County Administrator or their designee.

PERIODIC REVIEW:

This policy shall be reviewed by the Information Technology Services Department annually.