

Memorandum

To: Board of Education

From: Board of Education Attorney

Subject: Academic Integrity vs. Artificial Intelligence

I. BACKGROUND

Olivia and Zeke have had points deducted from their essay by their teacher Ms. Grady who alleges that their improper use of AI programs violated school policy on academic integrity. After speaking with both students, Olivia's score was lowered 10 points and Zeke's score by 20 points. Zeke has made two assertions;

- That he formulated his own thoughts and ideas, cited any outside sources, and his use of AI in search engines and Grammarly did not constitute plagiarism.
- That he received disparate treatment in the grading process because Olivia was graded less harshly despite admitting to using ChatGPT to generate ideas for phrasing and then copying these phrases directly into her essay without citations.

An appeal has been filed by Zeke's parents to change their son's grade and the Board has asked me to examine three relevant questions:

1. Should any points be taken off if the essay(s) was/were original ideas?
2. Is it considered plagiarism to use AI to correct grammar?
3. Is it plagiarism to utilize phrases directly from a program?

II. ANALYSIS OF CLAIMS

A. Does Zeke's use of AI programs violate academic integrity?

The use of AI tools does not automatically constitute academic dishonesty. AI technology can assist students in learning or it can help them cheat because the same technology can be used for both purposes.¹ Nor should it be presumed that all AI generated material is plagiarized.

ChatGPT, for example, can create original text. In addition, nearly every search engine relies on AI algorithms to optimize search results. This does not mean these engines must be included in the sources. A student only needs to cite the material they found via the search (e.g., a web page), not the search engine itself.

In rendering my opinion, I examined the school policy on academic integrity and how both student's used AI tools throughout their work. Historically, plagiarism has been defined as copying text or ideas from others without proper attribution.² Under the law, it is more precisely called a "tort of misappropriation."³ The school's student handbook defines plagiarism, in part, as "presenting another person's work as their own (whether intentional or not), using direct quotes, paraphrases, and specific ideas of another person without explicit citation, or obtaining and submitting work from the internet as their own."⁴ The policy does not include specific wording covering the use of AI technology.

¹ Sawahel, Wendy. "Study points to benefits of getting to grips with plagiarism." University World News, 2023.

² Goodyear, Sheena. "These Authors Say I stole their Books." CBC Radio, 21 Sept. 2023

³ Billings, Roger. Plagiarism in Academia and Beyond: What Is the Role of the Courts? USFCA Law Review, 2004.

⁴ Excerpt from Student Handbook

There is no information provided as to why Ms. Grady initially determined Zeke and Olivia committed plagiarism before speaking with them. If she used a plagiarism checking program to distinguish between human and AI-authored text or if she relied on her own intuition of their writing styles is relevant information.

III. OPINION AND RECOMMENDATIONS

A. **Should any points be taken off if the essay(s) was/were original ideas?**

This answer depends on who/what created the original idea(s). Ideas taken from outside sources, including any AI generated programs like ChatGPT, cannot be misrepresented as the student's own idea(s). To further complicate matters, citing AI generated "original" ideas may be inaccurate or misleading because it is difficult to know if ChatGPT text is true or false. If it is false, it may fool a student because it can fabricate details and sources to "support" the false text it generates.⁵ AI programs also frequently plagiarize by pulling large blocks of text from copyrighted sources, sometimes even entire pages of books.⁶ Their "generative" and "new" ideas can be someone else's ideas and work, "stolen" without the author's permission or knowledge.⁷ And frequently, they reuse ideas and steal core concepts from copyrighted works without giving credit.⁸ Since Olivia admitted to using ChatGPT to look up ideas for phrasing and then inserted them verbatim without citing her source, it is acceptable for her to lose points for violating school policy under two areas;

- "Using specific ideas of another person without explicit citation"

⁵ Ibid.

⁶ Home-Plagiarism-Libguides. Arkansas State University. Libguides At Dean B. Ellis.

⁷ "UF Policy: Student Conduct Violation." University of Florida, 2023.

⁸ Home-Plagiarism-Libguides. Arkansas State University. Libguides At Dean B. Ellis.

- “Obtaining and submitting work from the Internet as their own.”

Zeke has stated that he used all his own thought and ideas. If it cannot be proven otherwise, points should not be deducted in this area.

B. Is it considered plagiarism to use AI to correct grammar?

Most publishers use some form of AI to check their grammar. Some AI programs offer multiple functions. Grammarly, for instance, is not a single tool with a single function. The use of one its function may not violate academic integrity but the use of another function might. Besides checking for grammatical errors, Grammarly offers AI-generated writing, rewriting, paraphrasing, and idea generation.⁹

If Zeke did not use this program to generate content or ideas and only used it to corrected spelling errors, this should not be considered plagiarism. It is permissible to use these types of programs to check spelling, punctuation, and grammar. The reason for this is that Grammarly asks the student to examine these problems and to manually click the changes. Basically, it reviews these technical issues one by one with the student. The use of this program only as a proofreading tool is comparable to using the same kind of checking that Google docs employs.¹⁰

C. Is it plagiarism to utilize phrases directly from a program?

It is never acceptable to copy any outside source, including AI generated text, into a paper without proper attributes. Olivia’s, direct incorporation of AI phrasing from ChatGPT into her paper without quotation marks or citing is a clear violation of academic integrity. This type of conduct is referred to as ‘AI-assisted plagiarism’ and from an integrity point of view, the general

⁹ Bailey, Jonathan. Plagiarism Today. December 14, 2023.

¹⁰ McLeod, Danielle. “Is Using Grammarly Cheating? Should Students Use it?” Grammarist/Writing Tools

consensus is that it's unethical.¹¹ At a minimum, Olivia should have included a declaration of AI use that explains what technologies, if any, she used to generate material.¹²

IV. SUMMARY

From the facts presented, it is my opinion that Zeke has sustained his two assertions in his parent's appeal to the Board. There is not enough evidence presented to satisfy a claim of plagiarism against Zeke, and Olivia has shown more egregious behavior in violating the school's plagiarism policy for directly incorporating phrases from ChatGPT into her work.

A plagiarism accusation on Zeke's school record will most certainly affect his chances during the college admission process and leave the Board open to civil litigation for the harm caused. His score should be adjusted accordingly. The Board should also draft new wording specifically addressing AI usage to be added into the school handbook to avoid future confusion for students and provide training for teachers on the permitted v. nonpermitted uses of AI technology.

Teachers should then explicitly communicate generative AI policies to their students. Reviewed articles show that one of the main factors contributed to plagiarism is a lack of awareness and skills among students.¹³

¹¹ Do I plagiarize when I use Writefull, ChatGPT, or other AI language tools?

¹² University of London Library. References, Citations and Avoiding Plagiarism. January 5, 2024.

¹³ Aswathi, Shipra. Plagiarism and Academic Misconduct: A Systematic Review. *Journal of Library & Information Technology*, Vol. 39, No. 2, March 2019, pp. 94-100,

Works Cited

- Aswathi, Shipra. "Plagiarism and Academic Misconduct: A Systematic Review." *Journal of Library & Information Technology*, vols. Vol. 39, no. No. 2, Mar. 2019, pp. 94-100, www.researchgate.net/profile/Shipra-Awasthi/publication/332568987_Plagiarism_and_Academic_Misconduct_A_Systematic_Review/links/602d249c92851c4ed57abb5e/Plagiarism-and-Academic-Misconduct-A-Systematic-Review.pdf. Accessed 28 Jan. 2024. Abstract.
- Bailey, Jonathan. "Should Students Stop Using Grammarly?" *Plagiarism Today*, 14 Dec. 2023, www.plagiarismtoday.com/2023/12/14/should-students-stop-using-grammarly/.
- Billings, Roger. "Plagiarism in Academia and Beyond: What Is the Role of the Courts?" *USF: Scholarship Repository*, University of San Francisco, 2004, repository.usfca.edu/cgi/viewcontent.cgi?article=1219&context=usflawreview.
- "Do I Plagiarize When I Use Writefull, ChatGPT, or Other Language Tools?" *Writefull*, 2 Feb. 2023, blog.writefull.com/do-i-plagiarize-when-i-use-writefull-chatgpt-or-other-ai-language-tools/.
- Goodyear, Sheena. "These Authors Say AI Stole their Books." *CBC Radio*, 21 Sept. 2023, www.cbc.ca/radio/asithappens/authors-guild-chatgpt-lawsuit-1.6974154.
- "Home-Plagiarism-Libguides at Dean B. Ellis Library." *Arkansas State University*, 2023, libguides.astate.edu/plagiarism.
- McLeod, Danielle. "Is Using Grammarly Cheating? Should Students Use it?" *Grammarist/Writing Tools*, edited by Danielle McLeod, Grammarist, becomeawritertoday.com/is-using-grammarly-cheating/.

Sawahel, Wendy. "Study points to benefits of getting to grips with plagiarism." *University World News*, University of World News, 7 Sept. 2023,

www.universityworldnews.com/post.php?story=20240127122955532.

School Board, editor. *School Handbook*. High School, 2024. Pamphlet.

"UF Policy: Student Conduct Violation." *University of Florida*, 2023,

flexible.dce.ufl.edu/media/flexible_dce_ufl.edu/documents/uf_policy_student_conduct.pdf.

University of London Library. "References, Citations, and Avoiding Plagiarism." *University of*

London Library, 5 Jan. 2024, [library-guides.ucl.ac.uk/referencing-](http://library-guides.ucl.ac.uk/referencing-plagiarism/acknowledging-AI)

[plagiarism/acknowledging-AI](http://library-guides.ucl.ac.uk/referencing-plagiarism/acknowledging-AI).