Regulation for the Use of Generative AI Applications in Assessments at Bucerius Law School (AI Regulation)

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By resolution of March 6, 2024, the Academic Senate has enacted the following regulation for handling generative AI applications.

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§ 1 Scope of Application

[1]This regulation applies to the use of generative AI applications in assessments at Bucerius Law School. [2]Specific regulations in cooperative projects, particularly in mock trials (Moot Courts) or in the Law Clinic, take precedence and remain unaffected by this regulation.

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§ 2 Definitions

For the purpose of this regulation, the following definitions apply:

1. **"Assessment"** (Leistungskontrolle) refers to all assessments:
    - a. pursuant to §§ 19, 35, and 39 of the Study and Examination Regulations (SPO) for the Law program with the degrees Bachelor of Laws (LL.B.) and the First Examination (SPO LL.B.), and
    - b. pursuant to §§ 21 and 23 of the Examination Regulations for the continuing education Master's program Law and Business (SPO MLB).

2. **"Generative AI application"** means any software developed using one or more of the techniques and concepts listed below that, with a view to a set of human-defined objectives, can generate outputs such as content, predictions, recommendations, or decisions that influence the environments with which they interact:
    - a. Machine learning concepts, including supervised, unsupervised, and reinforcement learning, using a wide array of methods, including deep learning;
    - b. Logic- and knowledge-based concepts, including knowledge representation, inductive (logical) programming, knowledge bases, inference and deduction engines, (symbolic) reasoning, and expert systems;
    - c. Statistical approaches, Bayesian estimation, search, and optimization methods.
3. **"Use of generative AI applications"** means any utilization of a generative AI application that takes place under one's own responsibility.

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§ 3 Use in Written Invigilated Examinations and Oral Examinations

[1]Generative AI applications are generally not permitted as an authorized aid in assessments pursuant to § 19 Para. 1 Sentence 1 Nos. 1 and 2 SPO LL.B. and § 21 Para. 6 lit. a) and b) SPO MLB (written invigilated examinations [Klausur] and oral examinations). [2]Instructors may deviate from this in individual cases. [3]In such cases, they must announce the nature and manner of the permitted use in a suitable form, generally when the course is announced, or at the latest when the format of the examination for the course is determined.

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§ 4 Use in Other Assessments

[1]For all assessments not covered by § 3, particularly essays, term papers, seminar papers, presentations, and procedural simulations, generative AI applications are a fundamentally permissible aid. [2]The nature and manner of the permitted use are specified in more detail in §§ 5 and 6. [3]§ 3 Sentences 2 and 3 apply accordingly.

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§ 5 Principles of Permissible Use

The use of generative AI applications permitted under § 4 is subject to the following provisions:

1. The generative AI application may only be used as an auxiliary aid. Use is impermissible if the generative AI application essentially solves the task itself or if the results of the assessment are otherwise essentially generated by a generative AI.
2. Verbatim adoptions are only permissible within the scope of No. 1. They must be labeled as such.
3. Prompts and the results generated by the generative AI application do not need to be documented.
4. The fact that permitted generative AI applications were used in an assessment in compliance with the requirements of this regulation does not negatively affect the grading.
5. The rules of good scientific practice remain unaffected. Ensuring responsible use is the sole responsibility of the student.

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§ 6 Proof of Use

(1) [1]The use of the generative AI application must be disclosed. [2]Instructors or examiners decide on the type and scope of the disclosure. [3]They may choose exclusively one of the variants mentioned in Paragraph 2. [4]The announcement is generally made when the course is announced, or at the latest when the format of the examination for the course is determined, in an appropriate manner.

(2) The following options are available for disclosing the use of generative AI applications:

1. [1]The use of generative AI applications must be indicated in a list of auxiliary materials. [2]The name and version of the application used must be stated.
2. [1]The use of generative AI applications must be indicated in a list of auxiliary materials. [2]The name and version of the application used must be stated. [3]Each individual use must be identified as a cited source.
3. [1]The use of generative AI applications must be indicated in a list of auxiliary materials. [2]The name and version of the application used must be stated. [3]In a separate section of the work (Reflection on Auxiliary Materials), students must critically engage with the use of the generative AI application. [4]The length of the reflection is not included in the word and character limits of the assessment and

should itself comprise between 1,500 and 3,000 characters (excluding spaces). [5]A high quality of this reflection can be positively factored into the overall grading of the work.

(3) [1]If the instructor or examiner has not made a statement regarding the applicable variant at the time specified in Para. 1 Sentence 4, the variant in Para. 2 No. 1 shall be deemed selected. [2]Sample wordings for the permissible options in Para. 2 and requirements for the respective necessary proof can be found in Annexes I and II of this regulation.

(4) [1]Students have no claim to the university providing them with a license for a generative AI application. [2]If students use a paid version permitted under Para. 2 and cannot afford the necessary funds in an individual case, they are directed to the Financial Aid Fund of the Bucerius Alumni e.V..

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§ 7 Evaluation

[1]§ 6 of the regulation will be tested until the end of the summer trimester 2025 and subsequently evaluated. [2]It remains in force until a revised version replaces it, even beyond the trial period.

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§ 8 Entry into Force and Transitional Provisions

[1]This regulation enters into force on March 13, 2024. [2]Deviating from § 3 Sentence 3 and § 6 Para. 1 Sentence 4, the announcement for the spring trimester 2024 shall take place by March 15, 2024.

Annex I: Sample Wording for Guidelines pursuant to § 6

§ 6 Para. 2 No. 1
The use of generative AI applications is permitted for this assessment. The use must be indicated in a list of auxiliary materials. The name and version of the application used must be stated.

Students who wish to rely on a paid generative AI application for their work but cannot afford the necessary funds can turn to the Financial Aid Fund of the Bucerius Alumni e.V.

§ 6 Para. 2 No. 2
The use of generative AI applications is permitted for this assessment. The use must be

indicated in a list of auxiliary materials. The name and version of the application used must be stated. Each individual use must be identified as a cited source.

Students who wish to rely on a paid generative AI application for their work but cannot afford the necessary funds can turn to the Financial Aid Fund of the Bucerius Alumni e.V.

§ 6 Para. 2 No. 3
The use of generative AI applications is permitted for this assessment. The use must be indicated in a list of auxiliary materials. The name and version of the application used must be stated. In a separate section of the work (Reflection on Auxiliary Materials), students must critically engage with the use of the generative AI application. The length of the reflection is not included in word and character limits and should itself comprise between 1,500 and 3,000 characters (excluding spaces). A high quality of this reflection can be positively factored into the overall grading of the work.

Students who wish to rely on a paid generative AI application for their work but cannot afford the necessary funds can turn to the Financial Aid Fund of the Bucerius Alumni e.V.

Annex II: Specifications for Proof pursuant to § 6

Proof in the List of Auxiliary Materials

The use of generative AI applications must be identified in the list of auxiliary materials as follows:

Name of the application, Version
Example: ChatGPT, GPT 4.0

Proof of Individual Use

If proof of individual use is specified, the adopted outputs of the AI applications must be identified as direct or indirect citations via a footnote or endnote. General academic requirements apply here as well. The use of direct or indirect citations from generative AI applications must be identified in endnotes or footnotes as follows:

Name of the application, Version, Date
Example: ChatGPT, GPT 3.5, 10.11.2023
