Inventory of Automated Decision-Making Software for the Classroom

RES 252628

AS&SS

DEFINITION: According to the California Department of Technology (2026), an Automated Decision System (ADS) is defined as a computational process derived from machine learning, statistical modeling, data analytics, or artificial intelligence that to generate an outcome, such as a score, classification, or recommendation, that impacts people and is meant to assist or replace human discretionary decision making.

The following are not considered ADS, including but not limited to: a spam email filter, firewall, antivirus software, identity and access management tools, scripts that do not perform inference, calculator, database, dataset, or other compilation of data; and be it further

A high-risk ADS is defined as an automated decision system that is used to assist or replace human discretionary decisions that have a legal or similarly significant effect, including decisions that materially impact access to, or approval for, housing or accommodations, education, employment, credit, health care, and criminal justice; and be it further

That examples of high-risk ADS include, but are not limited to:

- Automated systems that assess student work (e.g., essays or short responses), attendance or participation without instructor review
- Online proctoring systems that infer potential incidents of academic misconduct
- AI-driven tools that infer student risk, academic standing, or progression and materially influence decisions regarding academic opportunities, dismissal, program eligibility, or access to resources
- Conversational systems that provide academic advising or instructional guidance that materially influences student decisions, without advisor review

• Systems integrated into institutional platforms that evaluate or flag student performance in ways that materially influence grading or academic standing without meaningful instructor oversight;

That systems used solely for administrative efficiency, content delivery, or low-stakes support (e.g., spell checkers, grammar suggestions, non-evaluative learning tools, or systems that do not influence grading or academic standing) shall not be considered high-risk ADS under this policy;

This definition does not include instructional, pedagogical, research, or discipline-specific software tools selected and controlled by individual faculty members as part of normal course design, curriculum delivery, or academic evaluation and be it further

RESOLVED: That California State University, Bakersfield establish a faculty disclosure process for any institutionally adopted or centrally supported artificial intelligence (AI) or automated decision-making systems used to assist or replace human discretionary decisions that materially impact student grades, academic status, discipline, or access to educational services; and be it further

RESOLVED: That disclosures of such systems be routed to Information Technology Services (ITS) Solutions Consulting for assessment and documentation as part of the campus High-Risk Automated Decision Systems (ADS) inventory in alignment with existing CSUB IT policy in regard to the purchase of high-risk automated systems and be it further

RESOLVED: That the use of artificial intelligence and ADS in instructional settings shall align with California State University, Bakersfield data classification standards, recognizing that such systems may process or generate data classified as Level I (confidential) or Level II (internal use), including student records, performance data, and personally identifiable information; and therefore, the use of these systems must ensure appropriate safeguards, transparency, and compliance with institutional, state, and federal data protection requirements.

RESOLVED: That nothing in this resolution shall be interpreted to require prior approval of disciplinary curriculum, instructional materials, pedagogical tools, or software selected by faculty under their academic freedom and instructional authority.

RATIONALE: Under California AB 302 and Government Code §11546.45.5, the California State University must annually report any High-Risk Automated Decision Systems in use, proposed, or under development. The campus Chief Information Officer is responsible for submitting this report, and submission is mandatory even if no qualifying systems are identified. While CSU Bakersfield maintains structured procurement and security review processes through the Procure-to-Pay system and Solutions Consulting, the ITS response identifies visibility gaps where AI-enabled tools may be self-procured, cloud-based, or embedded in grading or proctoring platforms without formal institutional reporting. These gaps create compliance, legal, and reputational risk, particularly where automated systems may materially influence grades, academic standing, disciplinary actions, or access to educational services. These risks are further compounded when such systems process institutional data subject to campus data classification standards, reinforcing the need for transparency, oversight, and alignment with existing data protection policies.

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