STATE OF DELAWARE
DEPARTMENT OF TECHNOLOGY AND INFORMATION
801 Silver Lake Blvd.
Dover, Delaware 19904

Doc Ref Number:	OT-AI-001	Revision Number: 0
Document Type:	Enterprise Policy	Page: 1 of 6
Policy Title:	Generative Artificial Intelligence Policy	

Synopsis:	Ensure the legal and ethical use of Generative Artificial Intelligence.
Authority:	Title 29 Chapter 90C Delaware Code, §9004C – General Powers, duties, and functions of DTI "2) Create, implement and enforce statewide and agency technology solutions, policies, standards and guidelines, including as recommended by the CIO"
Applicability:	This policy is applicable to all users of the State of Delaware communications and computing resources. The Department of Technology and Information (DTI) is an Executive Branch Agency and has no authority over the customers in Legislative and Judicial Branches, as well as Local Education Agencies, and other Federal and Local Government entities that use these resources. However, all users, including these entities, must agree to abide by all policies, standards promulgated by DTI as a condition of access and continued use of these resources.
Effective:	7/3/2025
Reviewed:	7/3/2025
Approved By:	Chief Information Officer
Sponsor:	Chief Technology Officer

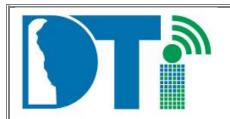| Doc Ref Number:	OT-AI-001	Revision Number: 0
Document Type:	Enterprise Policy	Page: 2 of 6
Policy Title:	Generative Artificial Intelligence Policy	

TABLE OF CONTENTS

Section		Page

I.   POLICY

EXECUTIVE SUMMARY

1. Artificial Intelligence ("AI") is a technology that allows computers and digital devices to learn, grow, analyze, and create. AI is rapidly becoming an increasingly essential function of day-to-day operations within the State Enterprise. Generative Artificial Intelligence ("GenAI") is a specific subset of AI. GenAI refers to an AI technology that synthesizes new versions of text, audio, or visual imagery from large bodies of data in response to user prompts. GenAI models can be used in stand-alone applications or incorporated into other applications such as internet search engines or word processing applications.

2. Information is shared with a GenAI tool by user prompts, or a series of instructions or questions for the tool. Generally, providing access to information constitutes sharing data with the tool. The sharing of data potentially makes confidential or sensitive information public, as the tool may use data shared to further develop its knowledge base. In some cases, data that has been sanitized could be linked to personal information and become exposed. Any customer or employee personal information, State proprietary information or intellectual property, or otherwise confidential information entered into a GenAI tool may appear to an unrelated non-State user. Therefore, users of GenAI must avoid entering any information into a GenAI tool which they do not want to be made public or is otherwise restricted by law or policy.

3. Similarly, data results created by GenAI are not above questioning or reproach. GenAI works from foundation models and large language models, which are not "truth" models.

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2 of 6

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Doc Ref Number:	OT-AI-001	**Revision Number:** 0
Document Type:	Enterprise Policy	**Page:** 3 of 6
Policy Title:	Generative Artificial Intelligence Policy	

Some GenAI tools may be trained on data or present data that is inherently biased or inaccurate and, therefore, untrustworthy. Also, some GenAI tools have documented histories of presenting users with fabricated content, referred to as "hallucinations." Unknowingly relying on a hallucination may create significant liability for the State and be legally actionable. User training is a critical way to minimize some of the risks associated with GenAI.

4. This policy has several goals. One of these goals is to provide guidance and information as a framework to consider when a user is contemplating using GenAI for a State function and/or with State data. Another goal is to outline the specific rules and permissible uses for GenAI deployment. This policy details the guardrails for GenAI usage, which will protect State employees, data, and the citizenry of the State.

POLICY STATEMENT

5. It is the policy of the State of Delaware to promote responsible use of GenAI tools where appropriate and without risk to the State. Any use of GenAI, via platforms, tools, and software, must be consistent with this policy and related policies like the Acceptable Use Policy and the standards set forth in Title 29, Chapter 58 of the Delaware Code.
   - Use of GenAI on State devices must be limited to State purposes.
   - Use of GenAI tools on personal devices or personal accounts to circumvent State policies or safeguards is strictly prohibited. If a user accesses GenAI on a personal device or through a personal account for State business, this policy still applies.
   - State users should act responsibly when using GenAI. State users should independently verify all GenAI outputs to avoid promoting false data via hallucinations, biased results, or other problematic outcomes.
   - Content, such as text, audio, images, or video, generated exclusively by using GenAI must be clearly identified on any internal or outward-facing communication.

6. GenAI solutions should be classified into two categories:

- **Public GenAI**: tools generally available to all users which can exist in both a paid and free format. Most general individual consumer GenAI products fall within this category. They do not usually require a subscription to another platform to access them. Public GenAI tools utilize commercially developed algorithms, publicly available data, and limited or no customizations for enterprises. A list of examples is available here.

- **Enterprise GenAI**: tools that are organization-centric and are associated with a subscription to, or purchase of, a commercial product or service offering. This might include stand-alone GenAI products or GenAI functionality integrated into existing software and platforms. These tools may require an additional monthly cost. It is

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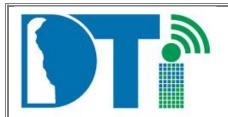
3 of 6

expected that any product falling into this category will be procured with a legal agreement that contains terms which protect State data and disallow unrestricted data sharing. Information that the tool processes, new knowledge it generates, and decisions it makes remain local to the State of Delaware's service environment. A list of examples is available here.

USER TRAINING

7. If used improperly, GenAI is a tool that presents significant threats to State cybersecurity. Like with any resource, risk can be reduced by deploying end user training to ensure safe use. State agencies are strongly encouraged to require GenAI training before granting a user permission to use GenAI. Similarly, users will be required to complete any GenAI training mandated by DTI before accessing GenAI solutions on State systems. Using GenAI without proper training may result in a finding that the user has violated the DTI Acceptable Use Policy and adverse action being taken against the user by their employing agency.

COMPLIANCE AND OVERSIGHT

8. Subject to agency-specific policies, State users may access Public GenAI tools without approval, if the user does not have a comparable Enterprise GenAI service available to them. Where a user has comparable Enterprise GenAI access, the user must use those products, not Public GenAI tools. Any Public GenAI use with State data with classification of Confidential and above is strictly prohibited. Public GenAI tools and AI model source code should only be accessed or downloaded from reputable, known sources to avoid interacting with modified or malicious AI models.

9. For a State agency to implement or use Enterprise GenAI tools, it must pursue an approved business case through DTI. In reviewing such a request, DTI's analysis will include, but will not be limited to, security configurations, access controls, integration with the State's identity solution, and encryption of State data at rest. State agencies should demonstrate a sustained funding model to maintain enterprise GenAI tools.

10. Enterprise GenAI must integrate with and use the State of Delaware's Identity and Access Management (IAM) Solution.

11. Use of information classified as Confidential or above with Enterprise GenAI tools must be explicitly approved by a cabinet level approved data steward of the implementing agency and documented in the approved business case. Without approval, GenAI use for confidential and above data classifications of State information is strictly prohibited.

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4 of 6

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DEPARTMENT OF TECHNOLOGY AND INFORMATION
801 Silver Lake Blvd.
Dover, Delaware 19904

Doc Ref Number:	OT-AI-001	**Revision Number:** 0
Document Type:	Enterprise Policy	**Page:** 5 of 6
Policy Title:	Generative Artificial Intelligence Policy	

12. Use of GenAI tools and models that are designed specifically for malicious purposes, or that originate from or are hosted outside of the United States and its territories, is strictly prohibited. A non-exhaustive list of prohibited GenAI tools can be located here. If users are concerned about a specific tool's acceptability, they are encouraged to verify viability with their agency's Information Resources Manager.

13. DTI reserves the right to access, monitor, and log the use of GenAI applications on any State-issued devices or on State managed networks to ensure compliant use of these systems. DTI reserves the right to terminate or suspend service immediately or to otherwise disconnect, remove, block, filter, or restrict an employee's use of service if DTI determines that such use violates this policy. If DTI believes that an employee has used a GenAI tool in an impermissible fashion, DTI may forward the relevant information, including the employee's identity, to that person's employing agency.

14. If there is ambiguity or confusion regarding any part of this policy, notify the sponsor defined in the header of this policy. If you are unsure of the category of GenAI, or whether a product is in fact GenAI, please contact your Information Resource Manager or Information Security Officer to partner with the policy sponsor for classification.
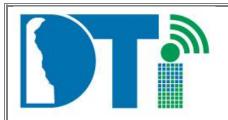
II. DEFINITIONS

Artificial Intelligence (AI) - A machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments.

Foundation Model – A model comprised of massive amounts of diverse data that can serve as the foundation of other specialized models.

Generative Artificial Intelligence (GenAI) - The class of AI models that emulate the structure and characteristics of input data to generate derived synthetic content. This can include images, videos, audio, text, and other digital content.

Large Language Model (LLM) - Advanced artificial intelligence systems designed to understand and produce human language through the processing of extensive textual data. They utilize deep learning algorithms, typically employing neural network architectures, to accomplish tasks such as language translation, text generation, and question answering. These models are trained on large datasets to achieve proficiency in comprehending and generating natural language.

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5 of 6

III. DEVELOPMENT AND REVISION HISTORY

Date	Revision
7/3/2025	Rev 0 – Initial version

IV. APPROVAL SIGNATURE BLOCK

Name & Title:	Date
Gregory Lane State Chief Information Officer	07/14/2025

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6 of 6