

Codes of Ethics for Generative Artificial Intelligence in Higher Education: Do They Matter?

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ABSTRACT

The emergence of the generative artificial intelligence (GAI) tool ChatGPT in 2022 marked a turning point not only in the context of AI developments, but also in the ethical consideration of its use in various contexts, including in education. Since then, various guidelines, recommendations and policies have been developed to guide the acceptable and responsible uses of generative AI, also known as codes of ethics for GAI. Universities have not been immune to these developments and have also joined in the formulation of specific institutional guidelines and policies to recommend and regulate the types of uses of GAI that are acceptable in their higher education contexts. In this discussion article, we raise questions about the importance and usefulness of codes of ethics for GAI in the context of higher education and the challenges that universities confront in their design, implementation and evaluation. All in all, our purpose is to encourage debate about how to support the responsible and ethical use of generative AI by faculty and students, as well as their agency and empowerment.

Keywords: artificial intelligence (AI), generative AI, codes of ethics, policies, guidelines, higher education



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Introduction

Artificial Intelligence (AI) is present in every conversation around education nowadays. Optimistic and enthusiastic viewpoints, as well as pessimistic and catastrophic outlooks, represent some of the varied stances present in these discussions. Everyone has a feeling or something to say about AI whether it be fear, aversion, fascination, or other emotions. The pervasiveness of AI, and especially Generative AI (GAI), is noteworthy: even it is becoming increasingly difficult to distinguish between output generated by humans and GAI. This omnipresence poses important challenges for the educational field, whether it is assessment and plagiarism (AI + plagiarism), creativity or critical thinking, among other aspects. These issues and their incidence are substantially different from those in the pre-GAI era, since the new generation of GAI brings additional and complex layers of issues to education. Therefore, in the last few years, many different international, national and local organizations and institutions have been developing documentation about how to deal with these challenges, by addressing the responsible and acceptable behaviours in relation to the use of GAI. These are known as codes of ethics for GAI and could have different forms; for instance, they could be recommendations, guidelines or policies that propose what should be done and not done with regards to the use of GAI.

In recent years since AI popularity, there has been a boom in codes of ethics for GAI (Corrêa *et al.*, 2023), which are essential when discussing AI governance. Codes of ethics are usually not binding; they are difficult to monitor and to be enforced. They refer to the normative principles that guide responsible AI development and use, for instance, fairness, accountability, and respect for fundamental rights. The first global example of international AI ethics guidance is the one developed by UNESCO (2023) on GAI in education, which aims to support countries to implement immediate actions, plan long-term policies and develop human capacity to ensure a human-centred vision of GAI (Miao & Holmes, 2023). In recent years, many higher education institutions have developed their own AI guidelines and policies (e.g., Jin *et al.*, 2025; Parker *et al.*, 2025), which are in general non-binding rules within AI governance, aiming to steer AI practices at institutional level. There are several good examples of evaluation tools and schemas to support educational institutions to guide and foster an ethical and responsible use of AI, and therefore, to support the application of codes of ethics in this respect. Two illustrative examples are the Evaluation schema and handbook for AI in education on data, privacy, ethics, and EU values developed by an Erasmus+ project (AI Pioneers, 2025) and the PIO self-assessment model, which has an adaptation to education sectors, developed by the Observatory for Ethics in Artificial Intelligence in Catalonia, Spain (OEIAC, 2025). On the other hand, the only law, as a binding regulatory instrument translating ethical values into enforceable obligations in terms of AI ethics, is the EU regulation on artificial intelligence (Regulation 2024/1689) (EU AI act) - at the time of the writing of this debate piece.

Against this backdrop, a debate on AI and ethics was organised within the EDEN conference in 2024. In this debate, different professors and researchers positioned in favour and against the usefulness/effectiveness of codes of ethics for GAI in education. We - the authors of this paper - were members of the debating panel. It is in this context that the present discussion paper emerges, considering the insightful conversations derived from that event, but also recent developments in the field of ethics and AI in higher education since the 2024 conference debate.



In this paper, we take further our arguments and reflections from the 2024 debate, and consider also specifically how universities have developed AI guidelines and policies to guide GAI use in the context of higher education. By doing this, we acknowledge that the issue of GAI ethics in education is broad and that there is the risk of thinking that it is so incomprehensible that we as part of the higher education community have limited influence on it or cannot do anything about it. So, we consider our perspective in this paper from a micro-level point of view: i.e., what we, as part of the educational community in universities, can do about developing codes of ethics for GAI in our roles, as educators. We also want to consider the role of other stakeholders such as students and faculty development staff in this work. Additionally, as can be deduced from the earlier remarks, it is necessary to clarify that our viewpoint endorses the codes of ethics for GAI, which are becoming ever more crucial in light of wider developments in GAI. Hence, we promote ethical principles for GAI in our higher education settings, despite the challenges involved in their creation, execution, and evaluation.

In the next sections we argue why codes of ethics for GAI are important, highlight their challenges, and conclude with some ideas for future discussions. We emphasise again that these elements refer to principles for fair and responsible GAI use and could take the form of general recommendations and frameworks, and as guidelines and policies at the institutional level, in contrast to binding regulations as laws.

Why do Ethical Codes of AI Practice in Higher Education Matter?

Reducing Uncertainty

Educators are often searching for orientation or guidance in their practice to ensure an appropriate implementation of educational practices with digital technologies - in this case with GAI - that positively impacts on students' learning processes. Also, deans, heads of department and studies, as well as members of staff who work in faculty development initiatives would appreciate having clear guidelines of what should or should not be done with GAI in the context of education, to guide educators and establish clear limits in students' and educators' actions with GAI. If educators do not have anything to adhere to, they might trust their intuition or follow others' practices, without being sure whether what they are doing is ethical or whether their students are following ethical practices. They will not know what to do when problematic situations with GAI appear and put much pressure on them to take some action without clear direction on it.

In this sense, a code of AI ethics, in any form (e.g., guidelines, policies), is useful to raise awareness of what actions are or are not responsible in the context of GAI use in higher education, and helps to reduce uncertainty as to whether the educational community is performing ethical or unethical uses and guide a responsible use. As in the proposed community-wide framework for ethics of AI, "it would help to get more awareness and try to do things right" (Holmes *et al.*, 2022, p. 517). Moreover, maintaining a code of ethics for AI and electing not to comply with it could entail specific implications (e.g., the application of misconduct guidelines) that would probably not happen otherwise. In addition, it is also important that those codes of ethics are developed to guide the GAI practice in the context of each institution, as derived from a study on learning analytics policies in higher education (Tsai & Gasevic, 2017).



Co-design / Co-creation

The most common, first responses from universities to GAI use in academic work were rejections, banning, and then allowing it, leaving the responsibility of how and when to use GAI to students and educators (Dabis & Csaki, 2024). In this sense, currently many universities have a code of ethics for GAI in place, usually in the form of guidelines or policies, to guide the discretionary, possible and/or banned uses of GAI in the context of each higher education institution. These codes usually focus on academic integrity (Luo, 2024). Also, they have frequently been developed following a top-down approach, without the involvement of educators and/or students but mostly leaving the decisions about how to use these tools to them (Rasky, 2024; Wu *et al.*, 2024).

While these top-down approaches have led to well-formulated theoretical or hypothetical policies and recommendations, they are difficult to put into practice and it is challenging to ensure that they are applied (Jin *et al.*, 2025). Also, in some cases, it could be argued that some of these top-down policies resemble what might be referred to as “ethics-washing” actions that superficially address ethical concerns merely to align with other institutions, while lacking a genuine commitment to confront the ethical challenges posed by GAI within their own organisation. For instance, Corbin *et al.* (2025) highlight the traffic light system (red, amber and green) as one of the common approaches introduced internationally by universities in their AI policies to enforce ethical or appropriate use of AI in students’ assignments. Red means AI tools are not allowed; Amber indicates that AI tools are allowed with due consideration; and Green signals that AI tools are allowed to be used in assignments and course work. Commenting on and agreeing with Corbin *et al.* (2025)’s research, a recent Times Higher Education article (Ross, 2025) called this traffic light system an “enforcement illusion”: unlike real traffic lights on our roads, this is a system “without detection cameras or highway patrols” making it an unenforceable system.

Finally, as university teachers, we believe that if higher education stakeholders at all levels are involved from the beginning in the design and application of such codes, all of us will have a greater feeling of ownership, which indeed will impact on the level of perceived usefulness and real implementation of such codes. For instance, Mouta *et al.* (2024) recognise the importance of bottom-up, participatory approaches to developing codes of ethics: “A participatory process in researching and implementing AIED” has the potential to develop context-relevant ethics principles that are meaningful for teachers and students, and such a process should include “a range of educational stakeholders” (p. 1197). Rasky (2024) makes a similar recommendation on the importance of engaging with different stakeholders in the AI governance bodies to ensure a fair and democratic AI policy-making process. These statements are in line with participatory and deliberative ethics approaches, based on theories and research on deliberative democracy in other contexts. For instance, these approaches have shown to be successful in environmental and community governance to improve both outcomes and the democratic legitimacy of the results, in connection to different dimensions (Newig *et al.*, 2023; Xu *et al.*, 2025).

So, the creation of these codes of ethics for GAI should involve both senior leaders, e.g., vice-rectors, legal representatives in higher education institutions, deans, heads of department and studies, and those who are in the front line such as teachers, administrative staff with different levels of responsibilities, including faculty development staff, data protection officers and legal services’ staff, students from different disciplines, as well as GAI developers (ideally). This way, stakeholders can see a clear alignment between ethical codes and their educational contexts, and they could move away from “ethics washing” and deal with the real ethical challenges that GAI poses in higher education institutions.



There are already examples of these bottom-up approaches to developing guidelines and frameworks in higher education. For instance, the Connected Learning at Scale (CLaS) strategic curriculum transformation initiative at the University of Sydney Business School (Australia) employed a co-design perspective for a pedagogical change (Zeivots *et al.*, 2025). Another example is the Faculty of Economics and Business of the University of Maribor (Slovenia), which co-designed a quality manual through consultations with different university stakeholders (Širec & Rožman, 2025).

Flexibility / Adaptation

Codes of ethics for GAI could be considered also an expression of academic freedom. They provide room for manoeuvre compared to laws (even if legislation exists in that context). When looking at different universities, they usually are different from one institution to another, in different countries (Parker *et al.*, 2025). This fact can allow us to learn from other practices and adapt our own institutional AI policies or agree on a common one among institutions.

Then, codes of ethics for GAI are flexible enough to enable quick modifications to enhance contextualised positive educational practices and avoid malpractice or unethical practices with GAI. For instance, that may be the case when something that needs to be corrected is detected (e.g., unintended consequences), and new issues (e.g. of unfairness, lack of transparency and accountability, and others) could come up with the experience of more educational practices with GAI conducted in different disciplines and contexts, technical and legal changes in the GAI systems, and so on. If the higher education community can adapt them - without leaving behind the main AI ethics principles (UNESCO, 2023) -, codes of ethics are good tools that serve the purpose of being flexible to higher education institutions in times of constant changes and GAI developments. As Holmes *et al.* (2022) state, “any ethics framework developed for the AIED context will need to allow for a degree of flexibility to incorporate new knowledge, new understandings and new ways of supporting learning and teaching, as our science, socio-cultural norms, values, and educational systems change over time” (p. 519).

There is also a need to give them time and study their impact on educational practices, while at the same time developing them further to operationalize their recommendations and statements.

Expressing our Values and the Need for Evaluation

Arguing against the “Generic AI ethics principles”, Mouta *et al.* (2024) warn that such principles “do not adequately address the part of agency responsible for learning” (p. 1197), and regulatory approaches to AI in education “do not account for the specific needs of learners and pedagogy” (p. 1197). Participatory processes for the development of codes of ethics for GAI in higher education institutions need to recognise “the special needs and tasks of its main actors (students and teachers), and respect each learning community’s heritage, as well as the will and capacity for innovation” (p. 1197). Also, as part of the higher education community in our institutions, and connected to flexibility, we as educational community can shape those codes of ethics in relation to particular dilemmas found in each context, based on elaborations of pre-existent broader moral principles, which form part of the organizational ethics of our institutions (Sinclair, 1993). Taking a positive step towards developing codes of ethics for GAI is also a chance of expressing our professional values as educators of future generations, raising awareness of marginalized voices and identities. If we as educators keep silent, we are doing a disservice to society. Being silent and taking no actions, is also unethical.



As a way of taking positive action and developing clear and actionable code of ethics for GAI - we need to act and demonstrate our values by testing new GAI systems and considering their implications for our higher education contexts (e.g., equity, bias, etc.), before advocating their use on a mass scale in our classrooms and universities. We can take lessons from how new interventions and procedures are introduced in medical and healthcare services, even though they cannot be directly transferred to AI ethics (Mittelstadt, 2019). Educators quite often embrace these technological products almost without testing them. There is a need to take time to evaluate their usefulness and appropriate them for teaching and student learning. No medical doctor will, or is allowed to, use any drugs or carry out a medical procedure that has not gone through rigorous testing and evaluation processes for their efficacy, effectiveness and safety. Indeed, the context between medical and AI ethics is very different and does not allow for direct transfer without adaptation: AI developers and practitioners have different goals and have a diverse commitment to public service than doctors have (Mittelstadt, 2019), but the comparison made here is still valid for the purposes of illustration. All educational stakeholders need to question whether any proposed approaches to using AI tools in educational contexts have undergone any evaluations.

Hence, sustained research is needed to collect evidence on each institutional context to evaluate students and teachers' responses to the development and implementation of AI ethics policies and be ready to change and improve according to evidence. Recommendations from Mouta *et al.* (2024) include:

“engaging educators through focus groups ... meaningful discussions about the ethical use of AIED in educational institutions ... “role playing with students” to “incorporate challenging and hands on engaging task that encourage reflection on how AIED specific applications could impact students’ lives... evaluation through self and peer assessment, promoting inclusive participation, assessing attitudes towards AIED ethics, [and] gathering teacher perspective” (p. 1195 - 1196).

All of these can be included in context specific long-term research.

We Need Them: Ethical Codes Work in Other Contexts

There are successful examples of codes of ethics that work in education and scientific fields more generally, which provide powerful arguments for the need for ethical codes for GAI in higher education and from which we can learn to apply in our context.

Two such examples are the ethical codes governing the conduct of research and publication of research outputs. Codes of practices governing research involving human participants is almost universally accepted and implemented in research instructions and the higher education sector and in the publishing industry. Over time, since the establishment of Nuremberg codes of ethics governing human experiments in 1947 (BMJ, 1996) and the overhaul of ethical protocols governing research involving human participants following the famous Stanley Milgram's obedience experiments in 1960s (Miller, 2004), the research community has developed and improved ethical codes for research in medical, humanities and social sciences for conducting research. We manage ourselves through well-crafted ethical codes. And they work. Those who break rules pay the price later, again through collective action. (see https://en.wikipedia.org/wiki/List_of_scientific_misconduct_incidents for a “List of scientific misconduct incidents”).



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It is unthinkable to do research without following ethical codes. Even if done, it is unthinkable to be able to get a paper published in a decent journal without providing evidence of gaining ethics approval for conducting the piece of research. See the “Retraction Watch” (<https://retractionwatch.com>) for a website that keeps a tract of papers that have been withdrawn due to ethical misconduct and other issues. Establishing ethical codes in research was a long, hard road. Since 1947 (the establishment of Nuremberg Code of Practice), researchers in different fields have been working hard to establish codes of practice for research to shape the field for future generations.

Another example is codes of practice governing medicine and health care. It may have taken years of work to implement codes of practice in this profession, but they work for us now and for future generations.

In this sense, Nigel Shadbolt and Roger Hampton’s (2025) influential book entitled “As If Human: Ethics and Artificial Intelligence” is a convincing text offering a philosophical, social and technological analysis of AI in ethics and historical overview of how ethical codes have been successful in other fields such as in medical practice.

Concluding remarks and further debate

The higher education (HE) community, i.e., teachers, researchers, policy makers and students need to take collective action and responsibility to develop effective codes of ethics for GAI. If we, as part of the educational community, do not do it, no one will. This is a danger that leads us to uncritically follow the pathway laid down by AI developers, without considering their consequences in a situated context as ours.

Indeed, there is a lot of hyperactivity and noise coming from all directions, arguably since the release of ChatGPT in Nov 2022. So, as educators we may be worried, overwhelmed and even panicked that codes of ethics are powerless for us to navigate this challenging path, to guide us in the ethical use of AI in education. But if we give up at the first sign of a hurdle, we are neglecting our duties as educators of generations to come after us. We are failing our future generation of students and colleagues.

As many prominent researchers have noted on AI and technological developments in general (e.g., Zuboff, 2019; Mejias & Couldry, 2024), the developers of AI don’t care much about the negative consequences or ethical issues (Crawford, 2021), or the dark side of AI (Hao, 2025) or any technological products that they develop, partly because of the tendency to put the venture capitalists and shareholders’ interests first.

This was an issue since the commercial sector began to develop technological products and services soon after the invention of the Web. Driven by powerful algorithms, Facebook, Instagram, TikTok, among other examples, all have proven to be having content and algorithms that are harmful to any citizen, including children, vulnerable groups and people with marginalized identities. Among these harms, we can consider the generation of biases, echo-chamber effects, limited capacity to prevent disinformation and misinformation, and designs that encourage overuse. But parents, carers, and even children have taken collective initiatives and responsibility to take the fight into their hands and argue their case.

There are successful examples of these seemingly powerless people of the society guiding the development of ethical codes (e.g., Hao, 2025). We need to take the lead from these members of our civil society. If we don’t take collective responsibility in co-developing codes of ethics that govern the educational uses of AI in our



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institutions and guide practice, then we, as part of the educational community, are neglecting our responsibility. And that itself is unethical. A good example of co-development in AI ethics based on civil society is the CIVICAI association, founded in 2023 in Catalonia. It is composed of individuals from diverse professional backgrounds and legal entities (professional associations, universities, business and civic organizations, etc.) who have come together to advocate for the need for civil society involvement in AI governance. The association has developed a code of ethics for AI with a more general approach in the form of a protocol (CIVIC AI Protocol) (<https://civicai.cat/en/>). Hao (2025) dedicates an entire section in her influential book, *Empire of AI*, to document further examples of community-led initiatives aimed at reshaping the ethical agenda of AI development and deployment. One notable example is the actions taken by low-paid data workers in Kenya and other Global South countries to raise awareness of their working conditions. This has been achieved through the development of testimonies and a range of collective methods designed to promote fair and ethical practices in AI development.

Taking the lead from many authors who are concerned about ethical uses of AI in educational settings, for example, Porayska-Pomsta and Holmes (2022), our purpose as authors in this contribution is to highlight the importance of continued engagement by teachers, researchers and students on ethical deployment of AI tools in educational settings. There is a lot of push back from not only developers, AI venture capitalists, vendors of AI tools and the EdTech industry looking for easy solutions; some tools on offer are simply ‘snake oil’ sold as AI (Narayanan & Kapoor, 2025) and ‘Weapons of Maths Destruction’ (O’Neil, 2017). Within this context, we as individuals should not take a passive stance thinking “AI is happening to us”, and it is useless to do anything about it. Instead, we need to embark on an “active exploration of the possible answers that illuminate, confront, and allow us to change the status quo” (Porayska-Pomsta & Holmes, 2022, p. 6). Like these authors and others who care about students and their positive educational outcomes, our message is not one of resistance, just “for the sake of resisting” (*ibid*, p. 6). We are proposing that we need to engage with “a systematic and considered understanding” of the potential and risks of AI and “as a basis for informed debate, decision making, and refinement of our practices” (p. 6).

The path to developing codes of ethics for GAI in higher education is indeed long with many hurdles; researchers and practitioners have much work to do in studying and creating an actionable impact on educators’ and students’ practices. There is an ever-increasing number of guidelines, policies, etc. as top-down codes of ethics in higher education institutions, but rarely go beyond academic misconduct, guide actual practices and have a real impact on educators’ and students’ practices (Luo, 2024; Rasky, 2024; Wu *et al.*, 2024). We believe that the arguments advocating for these type of codes of ethics for GAI are meaningful enough to worth the effort to work together, to co-design our flexible, adaptable codes for our own contexts, learning from other ethical codes, that reflect our professional values and support us to reduce uncertainty in a world ever changeable and with increasing presence of GAI.

Will we/you accept this challenge?

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Résumé / Resumen / Resumo

Codes éthiques pour l'intelligence artificielle générative dans l'enseignement supérieur: sont-ils importants?

RÉSUMÉ

L'émergence de l'outil d'intelligence artificielle générative (IAG) ChatGPT en 2022 a marqué un tournant dans le contexte des développements de l'IA, mais aussi dans la réflexion éthique sur son utilisation dans divers contextes, y compris dans l'éducation. Depuis lors, diverses lignes directrices, recommandations et politiques ont été élaborées pour guider les utilisations acceptables et responsables de l'IA générative, également connues sous le nom de codes d'éthique pour la IAG. Les universités n'ont pas été épargnées par ces développements et se sont également engagées dans la formulation de lignes directrices et de politiques institutionnelles spécifiques afin de recommander et de réglementer les types d'utilisations de la IAG qui sont acceptables dans leur contexte d'enseignement supérieur. Dans cet article de réflexion, nous soulevons des questions sur



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l'importance et l'utilité des codes d'éthique pour la IAG dans le contexte de l'enseignement supérieur et sur les défis auxquels les universités sont confrontées dans leur conception, leur mise en œuvre et leur évaluation. En somme, notre objectif est d'encourager le débat sur la manière de soutenir l'utilisation responsable et éthique de l'IAG par les enseignants et les étudiants, ainsi que leur autonomie et leur autonomisation.

Mots-clés: intelligence artificielle (IA), IA générative, codes d'éthique, politiques, lignes directrices, enseignement supérieur

Códigos éticos para la inteligencia artificial generativa en la educación superior: ¿son importantes?

RESUMEN

La aparición de la herramienta de inteligencia artificial generativa (IAG) ChatGPT en 2022 marcó un punto de inflexión en el contexto del desarrollo de la IA, pero también en la consideración ética de su uso en diversos contextos, incluido el educativo. Desde entonces, se han elaborado diversas directrices, recomendaciones y políticas para orientar los usos aceptables y responsables de la IA generativa, también conocidos como códigos éticos para la IAG. Las universidades no han sido ajenas a estos avances y también se han sumado a la formulación de directrices y políticas institucionales específicas para recomendar y regular los tipos de usos de la IAG que son aceptables en sus contextos de educación superior. En este artículo de debate, planteamos cuestiones sobre la importancia y la utilidad de los códigos éticos para la IAG en el contexto de la educación superior y los retos a los que se enfrentan las universidades en su diseño, aplicación y evaluación. En definitiva, nuestro objetivo es fomentar el debate sobre cómo promover un uso responsable y ético de la IAG por parte del profesorado y el alumnado, así como su autonomía y empoderamiento.

Palabras clave: inteligencia artificial (IA), IA generativa, códigos éticos, políticas, directrices, educación superior

Códigos de ética para a inteligência artificial generativa no ensino superior: eles são importantes?

RESUMO

O surgimento da ferramenta de inteligência artificial generativa (IAG) ChatGPT em 2022 marcou um ponto de viragem no contexto dos desenvolvimentos da IA, mas também na consideração ética da sua utilização em vários contextos, incluindo na educação. Desde então, foram desenvolvidas várias diretrizes, recomendações e políticas para orientar as utilizações aceitáveis e responsáveis da IA generativa, também conhecidas como códigos de ética para a IAG. As universidades não ficaram imunes a estes desenvolvimentos e também se juntaram à formulação de diretrizes e políticas institucionais específicas para recomendar e regulamentar os tipos de usos da IAG que são aceitáveis nos seus contextos de ensino superior. Neste artigo de discussão, levantamos questões



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sobre a importância e a utilidade dos códigos de ética para a IAG no contexto do ensino superior e os desafios que enfrentam as universidades na sua concepção, implementação e avaliação. Em suma, o nosso objetivo é promover o debate sobre como apoiar a utilização responsável e ética da IAG por parte do corpo docente e dos estudantes, bem como a sua autonomia e capacitação.

Palavras-chave: inteligência artificial (IA), IA generativa, códigos de ética, políticas, diretrizes, ensino superior



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