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From Bans to Balance: Co-Creating AI Policies with Students in the EFL Classroom

The most important thing about AI may be
that it shows us what it can't do, and so reveals
who we are and what we have to offer.

— David Brooks (New York Times)

Summary:

The rapid generalisation and widespread access to generative artificial intelligence (AI) tools has outpaced institutions' ability to develop adequate policies. Students across all levels of education are already experimenting with AI-powered tools for tasks ranging from essay writing to brainstorming project ideas. Educators face an urgent dilemma: how should classrooms respond when regulation lags behind technological adoption? This article presents a bottom-up approach to AI policy-making, with pre-service EFL teachers in a C2.1 English class at the Faculty of Arts and Humanities, University of Porto. Through collaborative discussion and co-construction of rules, students developed a nuanced AI policy that balanced opportunities with responsibilities. The experience highlights both the risks of avoidance and bans, and the potential of participatory policy-making to foster AI literacy, accountability, and meaningful digital practices.

The expansion of generative AI tools in education is not a future challenge but a present reality. Students are already making use of these tools in ways that stretch across academic, professional, and personal domains. Yet while usage has grown rapidly, institutional policies often lag behind, leaving classrooms in a vacuum where uncertainty prevails. For teachers, the question is not whether students are using AI — many are — but how to guide them responsibly.

Responding with prohibition in the classroom is inadequate because it will likely drive usage at home, while ignoring it leaves students vulnerable to misuse and misinformation. Instead, educators need approaches that are transparent, critical, and accountable. One promising strategy is to involve students directly in shaping classroom guidelines. Such a bottom-up approach does more than regulate behaviour: it cultivates digital literacy, prepares learners for professional environments where AI will be omnipresent, and empowers them to take responsibility for their own choices.

This article shares a classroom-based initiative conducted with C2.1 English students at the Faculty of Arts and Humanities, University of Porto. Importantly, this is a class of pre-service EFL teachers, taking their first steps in teacher education. By involving students in the creation of context-specific guidelines, I sought to promote AI awareness, encourage accountability, and avoid the pitfalls of either blanket bans or laissez-faire acceptance. The process illustrates how teachers can become pioneers in shaping AI literacy and classroom culture, rather than waiting for institutional or governmental directives to trickle down.

The EU AI Act and Education

The European Union has been at the forefront of regulating AI through the proposed Artificial Intelligence Act (European Commission, 2021). The Act categorises AI applications into levels of risk and introduces obligations for developers, deployers, and users. While not written specifically for education, the Act acknowledges the role of AI in shaping democratic societies, fairness, and fundamental rights. In the educational sector, this translates into ensuring transparency, avoiding

bias, and preventing harm to learners (European Parliament, 2024). For teachers, however, the AI Act is both too abstract and too slow. It provides an important legal backdrop but does not answer practical classroom questions teachers ask: Can students use AI to draft essays? Should AI be part of assessment? What are the ethical and pedagogical boundaries?

This gap between high-level regulation and daily classroom reality means educators must take initiative. A bottom-up approach does not replace EU or institutional policies but complements them, ensuring that AI use in classrooms is contextually relevant, ethically sound, and pedagogically meaningful.

My Classroom Example: Building Policy from the Bottom Up

At the start of the academic year, after introductory activities in my English C2.1 group, I invited students to reflect on AI use in our classroom through four guiding questions:

- When is AI allowed without restrictions?
- When is AI allowed with restrictions?
- When is AI forbidden?
- When is AI compulsory?

Students worked in small groups and engaged in animated discussions. Interestingly, they reached consensus most quickly when identifying forbidden uses, such as drafting full assignments, disguising plagiarism, uploading personal data, or relying on AI for mental health support. They also provided suggestions for restricted use, particularly around translation, summarisation, and feedback — acknowledging that AI could help. However, when asked to consider contexts in which AI could be used without restrictions, students struggled. Even more striking was their initial inability to conceive of contexts in which AI should be compulsory. This silence revealed both uncertainty and a lack of critical engagement with AI beyond the question of what is forbidden.

From these discussions, we collectively drafted our classroom AI policy that was posted on Moodle. It's a simple document that presents the following information:

When is AI allowed without restrictions?

- Brainstorming
- Proofreading texts
- Acting as a language assistant
- Organising class notes (e.g., creating study guides, visuals)
- Formatting aspects of documents

When is AI allowed with restrictions?

- Feedback (AI may suggest improvements, but the original draft must be submitted)
- Translation support
- Summarising texts
- Creating presentations (the content must be original)
- Designing materials for microteaching

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When is AI forbidden?

- Replacing human work in drafting, writing, or critical analysis (e.g., writing full assignments)
- Uploading any material without written permission
- Using AI for mental health support
- Citing AI-generated sources as if they were academic sources
- Disguising plagiarism (e.g., through paraphrasing)
- During exams or other assessment conditions
- Uploading personal data

When is AI compulsory?

- To promote AI literacy

Crucially, these simple guidelines were not imposed but co-constructed, ensuring student buy-in and accountability. As an educator, I can now hold students responsible if AI is misused because the rules are collectively owned.

Why a Bottom-Up Approach Works

The bottom-up approach aligns with principles of learner agency and participatory pedagogy. Scholars have emphasized that co-created classroom norms enhance engagement, ownership, and responsibility (Cook-Sather, 2020; Larsen–Freeman, 2019). When students help to define boundaries, they internalize them more deeply and are more likely to follow them. This approach also resonates with the concept of digital literacies, which extend beyond functional skills to include critical and ethical awareness (Dudeney, Hockly, & Pegrum, 2013). AI literacy, therefore, is not only about knowing how to prompt effectively but also about understanding when, why, and under what conditions AI should be used.

In the case of my C2.1 students, the process of negotiating guidelines revealed their existing assumptions about AI and created space for them to articulate concerns. They expressed anecdotes about peers using AI irresponsibly and voiced fears about unfair competition. Some students also shared episodes where they were unjustly accused of using AI and had been

awarded a zero or in a case of a specific person who failed the entire course. In these stories there were no guardrails in place. Ultimately, these insights provided me, as their lecturer, with valuable information — data I could never have accessed if I had simply imposed a ready-made set of guidelines or if I simply banned AI from my classroom. By making the invisible visible, the activity fostered a culture of dialogue and reflection.

Further considerations about the Risks of Avoidance and Bans

If AI is already part of students' daily lives, the absence of clear classroom guidelines poses significant risks. Without rules, students may experiment recklessly, leading to plagiarism, inequity, or breaches of privacy. Misuse can generate anxiety and distrust between teachers and students, eroding the learning environment (Selwyn, 2022). Moreover, opportunities to cultivate AI literacy are wasted if educators choose avoidance over engagement. Simply ignoring AI leaves students vulnerable to misinformation and ill-prepared for professional contexts in which AI is increasingly embedded.

Equally problematic are bans. While some institutions prohibit AI use outright, such policies are both impractical and counterproductive. Students will continue to use AI covertly, leading to opacity rather than transparency. Bans do not teach students to use AI responsibly; they merely push the practice underground. Research on digital policy suggests that prohibition often amplifies the very risks it seeks to mitigate by preventing open dialogue and critical reflection (Livingstone & Third, 2017). For higher education in particular, where fostering autonomy and critical thinking are central aims, bans represent a failure to prepare students for real-world digital environments. By contrast, bottom-up guidelines provide a middle path: neither laissez-faire acceptance nor rigid prohibition, but contextually relevant rules that promote accountability and awareness.

Wider Applicability Across Contexts

Although this initiative was implemented in higher education, the activity can be adapted to different contexts. In undergraduate classes, students can reflect on how AI supports — or undermines — their learning. In upper secondary, teachers can use similar categories and focus on concrete examples such as translation, grammar correction, or idea generation. Even in lower secondary, where students may lack critical awareness, teachers could begin preparing them for future cycles by discussing issues of plagiarism, originality, and responsible use.

I hesitate to recommend this for upper primary at present due to the current smartphone ban, but there is potential in transitional activities that frame AI not as a forbidden mystery but as a tool requiring thoughtful use. As Buckingham (2023) argues, digital literacy education must begin earlier than we often assume if young people are to navigate technology responsibly.

The core idea is simple yet adaptable: invite students to articulate when AI is useful, when it is dangerous, and when it should be mandatory. Through this process, teachers not only set guidelines but also gain insights into students' digital lives, enabling more targeted and relevant teaching practices.

Closing thoughts:

AI is not waiting for institutional policy to catch up, and neither should we. As educators, we stand at a crossroads: we can either treat AI as a threat to be avoided or as a reality to be engaged with critically and responsibly. My current experience with C2.1 English students — future EFL teachers — shows that even a simple classroom discussion can yield powerful results: students move from uncertainty to clarity, from passive users to active co-authors of classroom norms. By adopting a bottom-up approach, teachers can pioneer AI awareness and accountability in ways that are immediately practical and pedagogically sound.

The EU AI Act provides the legal framework, but classrooms require contextualised, lived policies. A bottom-up approach ensures that guidelines are not abstract regulations but meaningful practices grounded in the realities of teaching and learning. For teachers in Portugal — and beyond — this is an opportunity to lead rather than follow, to empower rather than restrict, and to prepare students for the challenges and possibilities of a world where AI is everywhere.

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