

MODEL POLICY: ARTIFICIAL INTELLIGENCE IN EDUCATION

As required by Senate Bill 1288 (Becker, 2024), this model policy was developed by the California Department of Education (CDE) with input from educational stakeholders, including the Artificial Intelligence Working Group. While this policy can be used by local educational agencies (LEAs) or Charter schools as a tool for developing local policies that reflect the nuanced and specific needs of their communities, this policy was intentionally drafted broadly enough to cover basic legal, ethical, and logistical considerations that is recommended to be included in any Artificial Intelligence (AI) policy in schools, regardless of size, location, or demographics. The CDE encourages local-level modifications to reflect the uniqueness of the students, schools, and communities served. The information is merely exemplary, and compliance with any information or guidance in this document is not mandatory. (See Education Code Section 33308.5.). This model policy is a complement to the CDE's 2025 AI Guidance, which can be viewed and downloaded from the CDE Artificial Intelligence Web page found here: <https://www.cde.ca.gov/ci/pl/aiincalifornia.asp>.

Artificial intelligence, including AI tools and systems, is rapidly becoming part of everyday life in schools and society. AI in schools should enhance teaching and learning while safeguarding students and staff. As AI evolves, students and educators must be equipped to critically evaluate information, use technology responsibly, and engage in ethical decision-making.

While AI may improve efficiency and expand access to information, it cannot replicate the relationships, professional judgment, and responsiveness that define effective education. AI must be used to support human-centered learning environments, not replace them. This model policy framework underscores a commitment to preparing students for a future shaped by AI while maintaining the central role of human connection in education.

The Governing Board recognizes that artificial intelligence (AI), including AI tools and systems, holds significant potential to expand student access to information, support educator effectiveness, reduce barriers to learning, and prepare all students for a future shaped by AI technology, as well as the potential for AI to undermine academic integrity, student privacy, equity, and well-being. Therefore, the Board is committed to ensuring that AI is used in the best interests of students, in a human-centered, responsible, and equitable manner that meets the diverse needs of all learners, in accordance with the following principles:

1. **Plagiarism, Disclosure, & Citation.** AI use should be transparently disclosed in accordance with established academic standards. Students must produce and submit original work within assignment guidelines, and submitting AI-generated content without clear disclosure constitutes plagiarism and academic dishonesty.
2. **AI Detection Software.** AI detection software should not be used as the sole basis for disciplinary action or grade penalty. Concerns about misuse must rely on educator evaluation of student engagement, alternative assessment, and documented evidence of authorship, with clear criteria for rebutting claims of inappropriate AI use made available to students and parents/guardians.
3. **Acceptable Use.** AI should be used to support learning, instruction, and operations in ways that enhance human decision-making and should not substitute for critical thinking or required academic work. All AI used by educators, staff, or students must be [District or Charter School] authorized and comply with applicable privacy and conduct policies, with notification and consent required whenever AI is used for grading or feedback.
4. **Safe & Responsible AI Use.** AI should not be used to harm individuals, encourage self-harm, or cause harm to the school community. All AI use remains subject to the [District or Charter School's] Student Code of Conduct, anti-bullying policies, and applicable personnel policies.
5. **Instructional Discretion.** Educators should have the discretion to determine when and how AI may be used in individual assignments, with expectations, purpose, and reasoning clearly communicated to students and families. Permitted AI use may vary from one assignment to another.
6. **Modeling, Practice, & Ongoing Discussion.** Educators should disclose their own AI use to students to model responsible practice and establish reciprocal trust. Students are likewise expected to disclose their use of AI when submitting work, fostering ongoing discussion about AI's efficacy, responsible use, and evolution. Educators should model the difference between using AI for efficiency and using AI to support learning, giving students opportunities to practice and demonstrate both.
7. **Privacy by Design.** All AI tools should protect student data, prohibit its use for training public AI models or advertising, and maintain strong security safeguards against data breaches.

- 8. Legal Compliance.** All AI usage should adhere to applicable state and federal legal requirements, including Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR § 99.1 et seq., and California *Education Code* Section 49073.1.
- 9. Data Entry Restrictions.** Students and educators should not enter education records or other confidential information into AI tools unless expressly authorized under [District or Charter School] policy. Any permitted data entry into AI tools that learn from user input must be reviewed and approved by trained staff prior to final submission.
- 10. Transparency & Informed Consent.** Staff, parents, guardians, and students should be informed of all AI-driven data collection practices and autonomous AI-powered student interaction tools. Access to AI-generated student records must be provided upon request, and annual informed consent from guardians is required prior to use of any such tools.
- 11. Parent/Guardian Review Rights.** Guardians should have the right to request timely human review of any AI-generated outputs that inform decisions about their child following the process published by [District or Charter School].
- 12. Approved Vendor Standards.** All approved vendor software published on the [District or Charter School]’s approved list of vetted third-party AI vendors includes monitoring capabilities designed to detect content that may indicate a risk to student well-being, and use of any unauthorized AI tool is prohibited.
- 13. Pre-Deployment Evaluation.** Prior to deployment, all AI tools should be evaluated for educational value, ethical implications, data privacy, potential bias, and equitable outcomes.
- 14. Vendor Contractual Safeguards.** All AI vendor contracts should include enforceable provisions protecting student data privacy and security, including breach notification requirements, audit rights, data deletion upon contract termination, and vendor accountability for unauthorized use of student data.
- 15. Teaching & Administrator Efficiency.** AI should serve as a tool to support educators in working more efficiently, increasing available time for student interaction, improving family communication, and reducing administrative burdens.
- 16. Curriculum & Assessment Redesign.** When developing or redesigning curriculum and local assessments, human thinking, process, equity, and insight should be emphasized over easily AI-generated products. Redesigns should provide cross-disciplinary grade-band progressions across all grade levels (TK–12) incorporating the foundational concepts of AI: Perception, Representation and Reasoning, Learning, Natural Interaction, and Societal Impact.
- 17. AI Literacy as a Core Academic Competency.** All students and educators should receive developmentally appropriate instruction in AI safety, AI literacy, cybersocial literacies, and the ethical and responsible use of AI, consistent with *Education Code* Section 33548. This instruction should build critical thinking skills needed to analyze, evaluate, and navigate automated content, including claim extraction, confidence calibration, source triangulation, and mismatch detection. Educators should prepare students to critically evaluate AI’s potential to spread misinformation, disinformation, and malinformation (i.e., true

information used out of context to cause harm), including its implications for access to reliable information, governance, and the future of democracy.

- 18. Grading and Assessment.** Students should be informed when their work will be submitted to AI to support grading or feedback. Regardless of whether AI is used to generate draft feedback, the educator of record retains sole authority to determine final grades.
- 19. Student Safety Response.** All identified instances of student risk arising from AI use should be addressed in accordance with established [District or Charter School] policy and procedure.
- 20. AI Output Verification.** All staff should be trained to review and verify AI-generated content prior to instructional use, decision-making, or distribution to students or families.
- 21. Ongoing Monitoring.** AI use should be reviewed regularly to ensure continued compliance with educational objectives and ethical standards, with policies and practices adjusted based on stakeholder feedback, audit findings, and emerging developments in AI.
- 22. Institutional Accountability.** [District or Charter School] acknowledges accountability for AI-generated outputs, including any issues, errors, or biases arising from AI use in operations or instruction, and addresses them in accordance with established policy and procedure.
- 23. Institutional AI Access.** Equitable access to institutionally approved AI tools should be provided to all educators and staff. Personal AI accounts should not be used for any purpose involving student data, student work, student records, or instructional content developed for [District or Charter School] use.
- 24. Ethical Risk Assessment.** Educators and students should consider the ethical issues associated with AI, including environmental costs, effects on mental health, embedded bias, and discriminatory risks, to make informed, responsible decisions aligned with established ethical principles. Regular audits should assess and ensure fairness.
- 25. [District or Charter School] AI Strategy.** The [District or Charter School]'s AI strategy should be equity-focused, developed collaboratively through a multistakeholder approach including educators, administrators, students, and families, and reviewed and updated no less than biennially to reflect evolving technologies and community needs.
- 26. Professional Development & User Training.** All AI deployment should be coupled with ongoing professional development and user training addressing AI literacy, data fluency, and learning science, including strategies to help students demonstrate knowledge, develop voice, and participate in complex problem-solving.

“Artificial intelligence” means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer, from the input it receives, how to generate outputs that can influence physical or virtual environments. (*Education Code 33328.5*)