SENATE . . . . No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jacob R. Oliveira

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish a commission to investigate AI in education.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jacob R. Oliveira	*Hampden, Hampshire and Worcester*

SENATE . . . . No.

[Pin Slip]

The Commonwealth of Massachusetts

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**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

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An Act to establish a commission to investigate AI in education.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1   The General Laws are hereby amended by inserting the following chapter:-

2   CHAPTER 69A

3   Artificial Intelligence in Education

4   a) Definitions

5   (i) "School systems," shall refer to the independent school systems of the commonwealth,

6   both private and public, and the governing body of the school system, including but not limited

7   to the local school committee, superintendent, and local town government.

8   (ii) "generative AI," shall refer to AI chatbots including but not limited to ChatGPT, or

9   any other form of algorithmic and pattern recognizing AI technology in which students may use

10   to perform classroom work including but not limited to essays, problem solving, etc.

11   (iii) "automated decision systems," shall refer to any AI system a school or school system

12   may implement or use to perform tasks including but not limited to scheduling, lesson planning,

13   speech writing, school bus route planning, grading, and budgeting.

14   (b) There shall be a commission within the executive office of education for the purpose

15   of studying and making recommendations relative to the use of AI in education, including but

16   not limited to providing guidelines for the ethical use of AI in teaching and learning for

17   educators, recommendations for legislators on how to protect data of schools that use AI, and

18   guidance on how to ensure student use of AI is effective, safe, and equitable. The commission

19   shall evaluate the implementation and use of automated decision systems and generative AI in

20   the education of the commonwealth and make recommendations to the legislature regarding

21   appropriate regulations, limits, standards and safeguards. The commission shall:

22   (i) undertake a complete and specific survey of all uses of automated decision systems

23   and generative AI in the school systems of the commonwealth and the purposes for which such

24   systems are used, including but not limited to:

25   (a) the principles, policies, and guidelines adopted by Massachusetts school systems to

26   inform the procurement, evaluation, and use of automated decision systems, and the procedures

27   by which such principles, policies, and guidelines are adopted;

28   (b) the training Massachusetts school systems provide to teachers and students using

29   automated decision systems and generative AI, and the procedures for enforcing the principles,

30   policies, and guidelines regarding their use;

31   (c) the manner by which Massachusetts school systems validate and test the automated

32   decision systems they use, and the manner by which they evaluate those systems on an ongoing

33   basis, specifying the training data, input data, systems analysis, studies, vendor or community

34   engagement, third-parties, or other methods used in such validation, testing, and evaluation;

35   (d) matters related to the transparency, explicability, auditability, and accountability of

36   automated decision systems in use in Massachusetts school systems, including information about

37   their structure; the processes guiding their procurement, implementation and review; whether

38   they can be audited externally and independently; and the people who operate such systems and

39   the training they receive;

40   (e) the manner and extent to which Massachusetts school systems make the automated

41   decision systems they use available to external review, and any existing policies, laws,

42   procedures, or guidelines that may limit external access to data or technical information that is

43   necessary for audits, evaluation, or validation of such systems;

44   (f) procedures and policies in place to protect the due process rights of individuals

45   directly affected by Massachusetts schools and their offices' use of automated decision systems,

46   including but not limited to public disclosure and transparency procedures; and

47   (g) the manner and extent school systems are educating their students regarding effective

48   use of AI in their work, as well as the school policy for inappropriate student use of generative

49   AI, including but not limited plagiarism.

50   (ii) consult with experts in the fields of machine learning, algorithmic bias, algorithmic

51   auditing, and civil and human rights;

52 (iii) examine research related to the use of automated decision systems that directly or

53 indirectly result in disparate outcomes for individuals or communities based on an identified

54 group characteristic;

55 (iv) conduct a survey of technical, legal, or policy controls to improve the just and

56 equitable use of automated decision systems and generative AI and mitigate any disparate

57 impacts deriving from their use, including best practices, policy tools, laws, and regulations

58 developed through research and academia or proposed or implemented in other states and

59 jurisdictions, including but not limited to the US department of education report on AI and the

60 white house AI bill of rights, as well as the European ethical guidelines on the use of AI and data

61 in teaching and learning for educators;

62 (v) examine matters related to data sources, data sharing agreements, data security

63 provisions, compliance with data protection laws and regulations, and all other issues related to

64 how data is protected, used, and shared by agencies using automated decision systems, in

65 Massachusetts and in other jurisdictions;

66 (vi) examine matters related to automated decision systems and intellectual property,

67 specifically with regards to plagiarism and student work, and the impacts of intellectual property

68 considerations on transparency, explicability, auditability, accountability, and due process;

69 (vii) examine any other opportunities and risks associated with the use of automated

70 decision systems by Massachusetts school systems, including but not limited to the effective and

71 ethical use of AI in the classroom;

72 (viii) examine the potential implementation of a mandatory watermark in generative AI

73 and automated decision systems used by school systems;

74   (ix) examine potential implementation and results of policy, recommendations, guidance,

75   and budgeting that ensures equitable use of AI across school systems of the commonwealth.

76   (c) The commission shall consist of the Secretary of education or designee, who shall

77   serve as chair; the Senate President or designee; the Speaker of the House of Representatives or

78   designee; the house and senate chairs of the joint committee on education; the house and senate

79   chairs of the joint committee on higher education; the house and senate chairs of the joint

80   committee on advanced information technology, the internet, and cybersecurity; the attorney

81   general or a designee; the Commissioner of the Department of Children and Families, or their

82   designee; president of the Massachusetts Teachers Association, or their designee; president of

83   the American Federation of Teachers Massachusetts or designee; 5 representatives from

84   academic institutions in the Commonwealth who shall be experts in (i) artificial intelligence and

85   machine learning, (ii) data science and information policy, (iii) social implications of artificial

86   intelligence and technology and (iv) education policy ; 1 high school student representative from

87   each county of the commonwealth; 3 representatives from the Massachusetts Technology

88   Collaborative; 1 representative of the Massachusetts association of school committees; 1

89   representative of the Massachusetts association of school superintendents; 1 representative from

90   the Department of Elementary and Secondary Education Digital Learning Advisory Council.