

Artificial Intelligence in the Classroom: CDE Publishes Model Policy for School Districts

August 13, 2026
Number 23

Written by:

Nicholas J. Clair
Partner
Sacramento

Ligia “Mona” Nicolae
Associate
Sacramento

As artificial intelligence (AI) becomes increasingly embedded in classroom tools, the California Department of Education (CDE) has released new guidance and a comprehensive Model AI Policy developed pursuant to Senate Bill 1288 (Becker, 2024). Released on June 25, 2026, the Model AI Policy provides local educational agencies (LEAs) with a customizable template for governing AI use in classrooms, operations, and student learning. While not mandatory, the policy offers a detailed roadmap for safe, ethical, and legally compliant AI integration.

Background: CDE’s Growing Focus on AI in Schools

Over the past two years, the CDE has increasingly emphasized the need for thoughtful, human-centered approaches to artificial intelligence in TK–12 education. In 2025, CDE released updated [Guidance for the Safe and Effective Use of Artificial Intelligence in California Public Schools](#), building on earlier guidance issued in 2023 and incorporating input from educators, technologists, and the Artificial Intelligence Working Group.

This guidance identifies emerging AI tools such as adaptive learning platforms, intelligent tutoring systems, grading assistants, classroom chatbots, and immersive simulations. In discussing the use of these tools, the guidance underscores the importance of educator judgment, equity, transparency, and student well-being. The CDE stresses that while AI can personalize learning and expand access, it also raises concerns related to privacy, bias, misinformation, and academic integrity. The guidance is expressly not mandatory, but it sets expectations for responsible use and reminds LEAs of binding obligations under the Family Educational Rights and Privacy Act (FERPA), Children's Online Privacy Protection Act (COPPA), and other State and federal laws.

Overview of the New Model AI Policy

Building on this foundation, the CDE’s newly released [Model AI Policy](#) offers LEAs a structured template for developing local AI governance systems. The policy is exemplary, rather than required, and is intended to be customized to reflect each LEA’s needs, demographics, and instructional priorities.

The Model AI Policy is organized around 26 core principles that collectively aim to ensure AI is used in ways that enhance learning, protect students, and support educators. While LEAs may tailor the policy, several themes stand out.

- **Academic Integrity and Disclosure:** The policy clarifies that undisclosed AI-generated work constitutes plagiarism and encourages transparent student and educator disclosure of AI use.
- **Limits on AI Detection Tools:** AI detection software cannot serve as the sole basis for discipline or grading decisions; educator evaluation remains central.
- **Privacy and Data Protection:** AI tools must incorporate privacy safeguards, prohibit training public models on student data, and comply with FERPA and California privacy laws.
- **Parent and Guardian Rights:** Families must receive notice of AI driven data collection and may request human review of AI generated outputs used in decision making.
- **Vendor and Contract Requirements:** AI vendors must meet strict standards for data security, breach notification, audit rights, and deletion of student data upon contract termination.
- **AI Literacy and Curriculum Integration:** Consistent with Education Code section 33548, the policy identifies AI literacy as a core academic competency and encourages TK–12 integration of foundational AI concepts, critical evaluation skills, and ethical considerations.
- **Equity and Ethical Use:** The policy emphasizes equitable access to LEA-approved AI tools, prohibits use of personal AI accounts for student data, and calls for regular audits to assess bias, environmental impacts, and student well-being.
- **Educator Discretion:** Teachers retain authority to determine when and how AI may be used in assignments, with expectations clearly communicated to students and families.
- **Ongoing Monitoring and Accountability:** LEAs are encouraged to review their AI strategy at least biennially, incorporate stakeholder feedback, and maintain institutional accountability for AI generated outputs.

Together, these principles provide a comprehensive framework for LEAs seeking to balance innovation with safety, legal compliance, and educational integrity.

Takeaways

The release of the Model AI Policy marks an important milestone in the CDE's effort to support responsible AI adoption in TK–12 schools. Rather than serving as a prescriptive set of requirements, the Model AI Policy functions as a broad framework outlining the issues LEAs should consider when developing local AI governance systems. LEAs should carefully evaluate which components are appropriate for local implementation as certain provisions—such as parental rights to request review of AI-generated outputs—may be burdensome to implement. LEAs should avoid adopting the model policy wholesale without considering how AI tools will be selected, what purposes they may serve, what training is required, how data will be retained, and how compliance will be monitored.

LEAs may benefit from evaluating their existing technology, privacy, and instructional policies to determine whether AI-specific revisions are needed. LEAs may also wish to assess whether professional development should be provided to help educators understand acceptable uses of AI, academic integrity expectations, and AI literacy goals. In addition, LEAs should review vendor contracts and approval processes to ensure they align with the model policy's privacy and security standards and provide robust protection for student data.

Closing

If you have any questions about the CDE's Model AI Policy, or artificial intelligence governance in schools more broadly, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#) and [LinkedIn](#), or download our [mobile app](#).

As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.