

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred House Bill No. 650
3 entitled “An act relating to educational technology products” respectfully
4 reports that it has considered the same and recommends that the Senate
5 propose to the House that the bill be amended by striking out all after the
6 enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 9 V.S.A. chapter 62 is amended to read:

8 CHAPTER 62. PROTECTION OF PERSONAL INFORMATION

9 * * *

10 Subchapter 3A. Student Privacy

11 * * *

12 § 2443f. ENFORCEMENT

13 (a) A person who violates a provision of this ~~chapter~~ subchapter commits
14 an unfair and deceptive act in commerce in violation of section 2453 of this
15 title.

16 (b) The Attorney General has the same authority to adopt rules to
17 implement the provisions of this subchapter and to conduct civil investigations,
18 enter into assurances of discontinuance, and bring civil actions as provided
19 under chapter 63, subchapter 1 of this title.

1 (1) the name and primary physical, email, and internet addresses of the
2 person;

3 (2) a link to the most recent version of the privacy policy and terms and
4 conditions of each product in use in any school;

5 (3) the name of each school in which the provider is operating pursuant
6 to a paid contract;

7 (4) the name and a brief description of each product of the provider, also
8 indicating which products are offered at no cost to schools;

9 (5) which products are known by the provider to be in use in any school;
10 and

11 (6) an attestation that each product meets:

12 (A) the standards set forth in subchapter 3A of this chapter (student
13 privacy) and subchapter 6 of this chapter (the Vermont Age-Appropriate
14 Design Code Act); and

15 (B) all relevant federal and State privacy laws, including the federal
16 Children’s Online Privacy Protection Act.

17 Sec. 2. **TWO-YEAR PROHIBITION ON CHATBOTS IN SCHOOLS**

18 **(a) Intent. It is the intent of the General Assembly to replicate within the**
19 **education context the thoughtful and deliberative approach Vermont**
20 **previously took regarding the use of artificial intelligence in State government.**
21 **Chatbots have been known to cause children to engage in academic dishonesty**

1 and to suffer from mental health harms like addiction and suicidal thoughts.
2 Therefore, the General Assembly enacts a two-year pause on the usage of
3 chatbots in schools to provide schools with the opportunity to research, test,
4 and endorse certain technologies to ensure the safety of students.

5 (b) Prohibition. Subject to subsection (c) of this section, no school shall
6 allow a student to use a chatbot for teaching and learning purposes until June
7 30, 2028.

8 (c) Exceptions.

9 (1) A school principal or head of school shall have the authority to grant
10 an exception to the prohibition set forth in subsection (b) of this section,
11 provided that the chatbot is strictly necessary for educational purposes. The
12 principal or head of school shall track any and all exceptions made pursuant to
13 this subdivision and provide a list of the exceptions to the Agency of Education
14 upon request. The list shall include the name of the provider of the chatbot
15 along with an explanation of the educational purposes of the chatbot.

16 (2) A school may allow the use of a chatbot for a student if such use is
17 required as part of the student's individualized education program, or 504 plan,
18 which shall be documented according to applicable State and federal law;
19 provided, however, that if such use is required to meet an international
20 student's special education needs or as part of a disability accommodation, and
21 the international student does not have an individualized education program or

1 504 plan, the need for such use shall be documented in a manner the school
2 deems appropriate.

3 (d) Definitions. As used in this section:

4 (1) “Chatbot” means any artificial intelligence, algorithmic, or
5 automated system that generates information via text, audio, image, or video in
6 a manner that simulates interpersonal interactions or conversation.

7 (2) “School” means a public school or an independent school approved
8 under 16 V.S.A. § 166.

9 (e) Notice. The Agency of Education shall provide notice of the provisions
10 of this section to all schools and, if necessary, provide support to a school in
11 implementing these provisions on or before August 1, 2026.

12 Sec. 4. EDUCATIONAL TECHNOLOGY LEGISLATIVE WORKING
13 GROUP; DRAFT LEGISLATION

14 (a) Creation. There is created the Educational Technology Legislative
15 Working Group for the purpose of studying the use of educational technology
16 products in the State and providing a recommendation to the State on how it
17 should certify such products.

18 (b) Membership. The Working Group shall be composed of the following
19 members:

1 (1) three current members of the House of Representatives, not all from
2 the same political party, who shall be appointed by the Speaker of the House;
3 and

4 (2) three current members of the Senate, not all from the same political
5 party, who shall be appointed by the Committee on Committees.

6 (c) Powers and duties. The Working Group, in consultation with the
7 Agency of Education, the Vermont Superintendents Association, and the
8 Vermont Independent Schools Association, shall study and make
9 recommendations regarding the certification process for the use of educational
10 technology products in Vermont schools. The Working Group shall:

11 (1) in consultation with superintendents, create a list of educational
12 technology products in use across schools in the State;

13 (2) interview stakeholders, including teachers and children’s privacy
14 advocates, to determine the benefits and harms of using educational technology
15 products in the classroom, including chatbots;

16 (3) determine what criteria to use when evaluating products for
17 certification;

18 (4) determine which State entities will be charged with the certification
19 process and to what extent; and

20 (5) recommend whether any third-party services should be utilized to
21 assist in certification.

1 (d) Assistance. For purposes of scheduling meetings, preparing
2 recommended legislation, and fiscal analysis, the Working Group shall have
3 the assistance of the Office of Legislative Counsel and the Joint Fiscal Office.

4 (e) Proposed legislation. On or before December 30, 2026, the Working
5 Group shall submit its findings and recommendations in the form of proposed
6 legislation to the House Committees on Commerce and Economic
7 Development and on Education and the Senate Committees on Economic
8 Development, Housing and General Affairs and on Education.

9 (f) Meetings.

10 (1) The Office of Legislative Counsel shall call the first meeting of the
11 Working Group to occur on or before August 15, 2026.

12 (2) The Working Group shall select co-chairs from among its members
13 at the first meeting, one a member of the House and the other a member of the
14 Senate.

15 (3) A majority of the membership shall constitute a quorum.

16 (4) The Working Group shall cease to exist on January 15, 2027.

17 (g) Compensation and reimbursement. For attendance at meetings during
18 adjournment of the General Assembly, a legislative member of the Working
19 Group serving in the member's capacity as a legislator shall be entitled to per
20 diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23

1 for not more than six meetings. These payments shall be made from monies
2 appropriated to the General Assembly.

3 Sec. 5. EFFECTIVE DATE

4 This act shall take effect on July 1, 2026.

5 (Committee vote: _____)

6

7

Senator _____

8

FOR THE COMMITTEE