

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 **PAUSE** 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 **Certain** chatbots **have caused** children to engage in academic dishonesty and to

1 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, with principals and heads of schools having the authority to exempt**
4 **chatbots they deem to be educationally warranted. This pause will provide**
5 **schools** with the opportunity to research, test, and endorse certain **chatbots** to
6 ensure the safety of students.

7 (b) Prohibition. Subject to subsection (c) of this section, no school shall
8 allow a student to use a chatbot for teaching and learning purposes until June
9 30, 2028.

10 (c) Exceptions.

11 (1) A school principal or head of school shall have the authority to grant
12 an exception to the prohibition set forth in subsection (b) of this section,
13 provided that the chatbot is **educationally warranted.**

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

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

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

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

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

10 Sec. 3. EDUCATIONAL TECHNOLOGY LEGISLATIVE WORKING
11 GROUP; DRAFT LEGISLATION

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

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

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

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

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

8 (1) create a list of educational technology products in use across schools
9 in the State;

10 (2) in consultation with the Secretary of State, review all educational
11 technology product provider registrations pursuant to 9 V.S.A. § 2444a;

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

15 (4) recommend whether students or parents of students should have the
16 right to opt out of using educational technology products as part of their
17 education; and

18 (5) as it pertains to the certification of educational technology products
19 for use in schools in the State;

20 (A) determine what criteria to use when evaluating educational
21 technology products for certification;

1 (B) determine which State entities will be charged with the
2 certification process and to what extent; and

3 (C) recommend whether any third-party services should be utilized to
4 assist in certification.

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

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

13 (f) Meetings.

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

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

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

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

