

John D. Johnson proposes the following substitute bill:

Educational Technology Regulatory Sandbox

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John D. Johnson

House Sponsor:

LONG TITLE

General Description:

This bill creates an educational technology regulatory sandbox within the public education system.

Highlighted Provisions:

This bill:

- ▶ creates the Educational Technology Regulatory Sandbox;
- ▶ establishes minimum standards for artificial intelligence use in public education;
- ▶ coordinates with the Office of Artificial Intelligence Policy;
- ▶ assigns pilot administration to the Office of Regulatory Relief;
- ▶ establishes an Education Technology Advisory Council;
- ▶ limits the State Board of Education's role in pilot application approval;
- ▶ provides for state board safety and privacy enforcement;
- ▶ requires vendor safety testing through red teaming;
- ▶ requires evidence-based evaluation;
- ▶ requires state board review and legislative authorization before statewide adoption;
- ▶ establishes evidence-based criteria for state board recommendations;
- ▶ provides coordination with innovative education programs;
- ▶ integrates crisis response with SafeUT infrastructure;
- ▶ establishes parental transparency and opt-out rights;
- ▶ maintains educator authority over grading and instructional decisions;
- ▶ maintains academic integrity and authentic student work standards;
- ▶ establishes student rights to transparency and human review;
- ▶ integrates enforcement of Title 53E, Chapter 9, Part 3, Student Data Protection;
- ▶ creates safe harbor for de-identified data;
- ▶ establishes vendor accountability and transparency requirements;

- 29 ▶ provides liability protection for good-faith compliance;
- 30 ▶ prohibits artificial intelligence systems from simulating romantic or personal relationships
- 31 with students;
- 32 ▶ requires annual safety reviews for multi-year pilots;
- 33 ▶ establishes educational principles to guide artificial intelligence deployment;
- 34 ▶ establishes legislative findings regarding education technology regulation;
- 35 ▶ requires historical source integrity for AI-supported instruction in history, civics, and
- 36 social studies;
- 37 ▶ requires independent evaluation and legislative reporting upon request;
- 38 ▶ provides technical assistance for Utah-based education technology companies;
- 39 ▶ grants rulemaking authority to the state board; and
- 40 ▶ provides a five-year sunset.

41 **Money Appropriated in this Bill:**

42 None

43 **Other Special Clauses:**

44 This bill provides a special effective date.

45 **Utah Code Sections Affected:**

46 AMENDS:

47 **53E-1-201 (Effective 07/01/26) (Partially Repealed 07/01/27)**, as last amended by Laws

48 of Utah 2025, First Special Session, Chapter 9

49 **63I-1-253 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, First Special

50 Session, Chapter 9

51 **63N-16-104 (Effective 07/01/26)**, as last amended by Laws of Utah 2024, Chapters 157,

52 400

53 ENACTS:

54 **53E-11-101 (Effective 07/01/26)**, Utah Code Annotated 1953

55 **53E-11-102 (Effective 07/01/26)**, Utah Code Annotated 1953

56 **53E-11-201 (Effective 07/01/26)**, Utah Code Annotated 1953

57 **53E-11-202 (Effective 07/01/26)**, Utah Code Annotated 1953

58 **53E-11-203 (Effective 07/01/26)**, Utah Code Annotated 1953

59 **53E-11-204 (Effective 07/01/26)**, Utah Code Annotated 1953

60 **53E-11-205 (Effective 07/01/26)**, Utah Code Annotated 1953

61 **53E-11-206 (Effective 07/01/26)**, Utah Code Annotated 1953

62 **53E-11-207 (Effective 07/01/26)**, Utah Code Annotated 1953

63 **53E-11-208 (Effective 07/01/26)**, Utah Code Annotated 1953
 64 **53E-11-209 (Effective 07/01/26)**, Utah Code Annotated 1953
 65 **53E-11-210 (Effective 07/01/26)**, Utah Code Annotated 1953
 66 **53E-11-211 (Effective 07/01/26)**, Utah Code Annotated 1953
 67 **53E-11-212 (Effective 07/01/26)**, Utah Code Annotated 1953
 68 **53E-11-213 (Effective 07/01/26)**, Utah Code Annotated 1953
 69 **53E-11-214 (Effective 07/01/26)**, Utah Code Annotated 1953
 70 **53E-11-215 (Effective 07/01/26)**, Utah Code Annotated 1953
 71 **53E-11-216 (Effective 07/01/26)**, Utah Code Annotated 1953
 72 **53E-11-217 (Effective 07/01/26)**, Utah Code Annotated 1953
 73 **53E-11-218 (Effective 07/01/26)**, Utah Code Annotated 1953

74

75 *Be it enacted by the Legislature of the state of Utah:*

76 Section 1. Section **53E-1-201** is amended to read:

77 **53E-1-201 (Effective 07/01/26) (Partially Repealed 07/01/27). Reports to and**
 78 **action required of the Education Interim Committee.**

79 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring
 80 reports are due to the Education Interim Committee:

- 81 (a) the report described in Section 9-22-109 by the STEM Action Center Board,
 82 including the information described in Section 9-22-113 on the status of the computer
 83 science initiative and Section 9-22-114 on the Computing Partnerships Grants
 84 Program;
- 85 (b) the prioritized list of data research described in Section 53H-15-303 and the report
 86 on research and activities described in Section 53H-15-305 by the Utah Data
 87 Research Center;
- 88 (c) the report described in Section 53H-1-203 by the Utah Board of Higher Education on
 89 career and technical education issues and addressing workforce needs;
- 90 (d) the annual report of the Utah Board of Higher Education described in Section
 91 53H-1-203;
- 92 (e) the reports described in Section 53H-7-603 by the Utah Board of Higher Education
 93 regarding activities related to campus safety;
- 94 (f) the State Superintendent's Annual Report by the state board described in Section
 95 53E-1-203;
- 96 (g) the annual report described in Section 53E-2-202 by the state board on the strategic

- 97 plan to improve student outcomes;
- 98 (h) the report described in Section 53E-3-501 by the state board on students in an LEA
99 who receive academic credit through the packet method;
- 100 (i) the report described in Section 53E-8-204 by the state board on the Utah Schools for
101 the Deaf and the Blind;
- 102 (j) the report described in Section 53E-10-703 by the Utah Leading through Effective,
103 Actionable, and Dynamic Education director on research and other activities;
- 104 (k) the report described in Section 53F-2-522 regarding mental health screening
105 programs;
- 106 (l) the report described in Section 53F-4-203 by the state board and the independent
107 evaluator on an evaluation of early interactive reading software;
- 108 (m) the report described in Section 53F-6-412 by the program manager of the Utah Fits
109 All Scholarship Program;
- 110 (n) the report described in Section 63N-20-107 by the Governor's Office of Economic
111 Opportunity on UPSTART;
- 112 (o) the report described in Section 53F-5-215 by the state board related to a grant for an
113 elementary teacher preparation assessment;
- 114 (p) upon request, the report described in Section 53F-5-219 by the state board on the
115 Local Innovations Civics Education Pilot Program;
- 116 (q) the report described in Section 53F-5-405 by the state board regarding an evaluation
117 of a partnership that receives a grant to improve educational outcomes for students
118 who are low-income;
- 119 (r) the report described in Section 53H-1-604 regarding the Higher Education and
120 Corrections Council;
- 121 (s) the report described in Section 53G-7-221 by the state board regarding innovation
122 plans; and
- 123 (t) the reports described in Section 53F-6-412 regarding the Utah Fits All Scholarship
124 Program.
- 125 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional
126 reports are due to the Education Interim Committee:
- 127 (a) in 2027, 2030, 2033, and 2035, the reports described in Sections 53H-1-502,
128 53H-1-503, and 53H-1-504;
- 129 (b) in 2025, the report described in Section 53H-6-203 by a degree-granting institution
130 regarding policies on abusive coaching practices;

- 131 (c) if required, the report described in Section 53E-4-309 by the state board explaining
 132 the reasons for changing the grade level specification for the administration of
 133 specific assessments;
- 134 (d) if required, the report described in Section 53E-5-210 by the state board of an
 135 adjustment to the minimum level that demonstrates proficiency for each statewide
 136 assessment;
- 137 (e) the report described in Section 53E-10-702 by Utah Leading through Effective,
 138 Actionable, and Dynamic Education;
- 139 (f) if required, the report described in Section 53F-2-513 by the state board evaluating
 140 the effects of salary bonuses on the recruitment and retention of effective teachers in
 141 high-poverty schools;
- 142 (g) upon request, the report described in Section 53F-10-303 by the state board
 143 regarding the Rural School Sports Facilities Grant Program;
- 144 (h) upon request, a report described in Section 53G-7-222 by an LEA regarding
 145 expenditure of a percentage of state restricted funds to support an innovative
 146 education program;
- 147 (i) the reports described in Section 53G-11-304 by the state board regarding proposed
 148 rules and results related to educator exit surveys; ~~and~~
- 149 (j) the report described in Section 26B-5-113 by the Office of Substance Use and Mental
 150 Health, the state board, and the Department of Health and Human Services regarding
 151 recommendations related to Medicaid reimbursement for school-based health services[-]
 152 ; and
- 153 (k) upon completion of each pilot, the report described in Section 53E-11-205 by the
 154 state board regarding the Educational Technology Regulatory Sandbox pilot program.
- 155 (3) In accordance with applicable provisions and Section 68-3-14, every five years the
 156 Education Interim Committee shall review the programs described in the following
 157 sections of code:
- 158 (a) beginning July 1, 2027, ~~[Title 53E, Chapter 10, Part 3], Chapter 10, Part 3,~~
 159 Concurrent Enrollment;
- 160 (b) beginning July 1, 2027, Section 53F-2-408, Enhancement for Accelerated Students
 161 Program;
- 162 (c) beginning July 1, 2027, Section 53F-2-409, Concurrent enrollment funding;
- 163 (d) beginning July 1, 2027, Section 53F-2-415, Student health and counseling support --
 164 Qualifying personnel -- Distribution formula -- Rulemaking;

- 165 (e) beginning July 1, 2028, Section 53F-2-416, Appropriation and distribution for the
166 Teacher and Student Success Program;
- 167 (f) beginning July 1, 2028, Section 53F-2-510, Digital Teaching and Learning Grant
168 Program;
- 169 (g) beginning July 1, 2028, Section 53F-9-306, Teacher and Student Success Account;
- 170 (h) beginning July 1, 2028, Title 53G, Chapter 7, Part 13, Teacher and Student Success
171 Program; and
- 172 (i) beginning July 1, 2029, Section 53F-2-502, Dual language immersion.

173 Section 2. Section **53E-11-101** is enacted to read:

174 **CHAPTER 11. Educational Technology Regulatory Sandbox**

175 **Part 1. General Provisions**

176 **53E-11-101 (Effective 07/01/26). General provisions -- Definitions.**

177 As used in this chapter:

- 178 (1) "Artificial intelligence" means the same as artificial intelligence and artificial
179 intelligence technology are defined in Section 13-72-101.
- 180 (2) "Conversational artificial intelligence" means an artificial intelligence system capable of
181 interactive dialogue with a student.
- 182 (3) "De-identified data" means data that:
- 183 (a) cannot reasonably identify an individual student; and
- 184 (b) has been processed to prevent re-identification through removal or aggregation of
185 direct and indirect identifiers.
- 186 (4) "Educational technology" means technology-based tools, systems, or platforms
187 designed to support teaching, learning, or educational administration, including artificial
188 intelligence systems.
- 189 (5) "Foreign adversary" means a foreign adversary as defined in federal law or applicable
190 state procurement law.
- 191 (6) "Human-in-the-loop supervision" means licensed educator authority to review, override,
192 and control instructional consequences of an artificial intelligence system, requiring
193 documented educator review and approval before any student-impacting decision
194 becomes part of a student's official academic record or materially affects educational
195 opportunities, placement, or grades.
- 196 (7) "Office" means the Office of Regulatory Relief established under Title 63N, Chapter 16,
197 Utah Office of Regulatory Relief.

- 198 (8) "Office of AI Policy" means the Office of Artificial Intelligence Policy created under
199 Section 13-72-201.
- 200 (9) "Pilot" means a time-limited artificial intelligence implementation approved under this
201 chapter.
- 202 (10) "Red teaming" means adversarial testing of an artificial intelligence system to identify
203 vulnerabilities, safety failures, or potential misuse by deliberately attempting to bypass
204 safety controls or elicit harmful outputs.
- 205 (11) "SafeUT" means the crisis line established in Section 53H-4-210.
- 206 (12) "Sandbox" means the Artificial Intelligence Education Sandbox created in this chapter.
- 207 (13) "Sandbox participant" means a public school or local education agency approved to
208 conduct a pilot under this chapter.
- 209 (14) "Student data" means the same as that term is defined in Section 53E-9-301.
- 210 (15) "Student-impacting decision" means an artificial intelligence output that materially
211 influences grades, academic placement, discipline, eligibility for programs or services,
212 or academic records.
- 213 (16) "Vendor" means a provider of an artificial intelligence system used in a sandbox pilot.
214 Section 3. Section **53E-11-102** is enacted to read:
215 **53E-11-102 (Effective 07/01/26). Legislative findings.**
- 216 (1) The Legislature finds that education technology regulation requires balancing
217 innovation with student protection.
- 218 (2) The state may establish appropriate safeguards for minors in educational settings while
219 preserving parental authority and student liberty.
- 220 (3) Controlled pilot programs, evidence-based evaluation, and measured oversight are
221 appropriate mechanisms for introducing artificial intelligence in public education.
- 222 (4) Innovation in teaching and learning methods may be encouraged where the innovation:
223 (a) demonstrably advances student learning; and
224 (b) remains subject to constitutional protections and applicable law.
- 225 (5) Regulation under this chapter shall be limited to safeguards necessary to protect
226 students, privacy, and civil rights without unnecessarily restricting lawful educational
227 innovation.
- 228 (6) The purposes of this chapter are to:
229 (a) establish minimum standards for AI use in education;
230 (b) permit responsible experimentation through time-limited pilots;
231 (c) require safeguards proportionate to student vulnerability;

- 232 (d) ensure evaluation based on evidence; and
233 (e) preserve constitutional liberty, parental authority, and equal protection.
234 (7) This section states legislative findings to guide interpretation but does not create a
235 private right of action or establish a standard of care for civil liability.
236 (8) Instruction in history, civics, and social studies is most faithful to truth when grounded
237 in historically contextualized primary sources and avoiding interpretation that imposes
238 present-day ideological assumptions inconsistent with the historical record.

239 Section 4. Section **53E-11-201** is enacted to read:

240 **Part 2. Educational Technology Regulatory Sandbox**

241 **53E-11-201 (Effective 07/01/26). General provisions -- Definitions.**

242 Reserved.

243 Section 5. Section **53E-11-202** is enacted to read:

244 **53E-11-202 (Effective 07/01/26). Creation of sandbox.**

- 245 (1) There is created an Educational Technology Regulatory Sandbox that is created to:
246 (a) establish minimum standards for educational technology use in public education,
247 including artificial intelligence systems;
248 (b) enable time-limited pilot programs to evaluate artificial intelligence technologies
249 while protecting student safety and privacy; and
250 (c) generate evidence to inform future education AI policy.
251 (2) The sandbox enables innovation while maintaining:
252 (a) safety testing requirements before student use;
253 (b) parental authority over student participation;
254 (c) educator professional judgment;
255 (d) student privacy protections under Chapter 9, Part 3, Student Data Protection;
256 (e) academic integrity standards;
257 (f) integration with SafeUT crisis response; and
258 (g) evidence-based evaluation requirements.
259 (3) A school, district, educator, parent, or student may participate in the sandbox on a
260 voluntary basis.
261 (4) A pilot may not exceed three years without renewed approval consistent with this part.
262 (5) Statewide adoption of an artificial intelligence system or practice evaluated in the
263 sandbox requires:
264 (a) state board review of pilot evidence and formal recommendation to the Legislature
265 based on evidence-based criteria; and

- 266 (b) legislative authorization through statute.
- 267 (6) The office shall coordinate with the Office of AI Policy to:
- 268 (a) share findings and evaluation results from sandbox pilots;
- 269 (b) avoid duplicative testing and regulatory requirements;
- 270 (c) align education-specific standards with broader state AI policy; and
- 271 (d) inform the AI policy learning agenda described in Section 13-72-301.

272 Section 6. Section **53E-11-203** is enacted to read:

273 **53E-11-203 (Effective 07/01/26). Administration and governance.**

- 274 (1) The office shall administer sandbox pilot applications and monitoring.
- 275 (2) The office shall:
- 276 (a) receive and process sandbox pilot applications in consultation with the state board;
- 277 (b) approve applications meeting criteria established in Section 53E-11-206 and not
- 278 rejected by the state board under Section 53E-11-204;
- 279 (c) maintain a public registry of approved pilots including participant information, pilot
- 280 duration, and status;
- 281 (d) monitor pilot compliance with this part;
- 282 (e) coordinate with the state board regarding enforcement;
- 283 (f) provide administrative support for state board enforcement actions;
- 284 (g) compile pilot evidence and evaluation results for legislative review;
- 285 (h) report to the Legislature upon request regarding sandbox operations; and
- 286 (i) coordinate with the Office of AI Policy regarding:
- 287 (i) evaluation methodologies;
- 288 (ii) safety standards; and
- 289 (iii) regulatory approaches applicable to education technology.

290 Section 7. Section **53E-11-204** is enacted to read:

291 **53E-11-204 (Effective 07/01/26). Division of authority and safety oversight.**

- 292 (1) The office shall administer sandbox pilot applications.
- 293 (2) The state board shall consult with the office on pilot applications to ensure compliance
- 294 with state and federal law.
- 295 (3)(a) The state board may reject an application if the state board determines the pilot
- 296 would violate federal law.
- 297 (b) The office may approve a pilot that requires a waiver of state law if:
- 298 (i) the waiver is necessary to achieve the pilot's educational objectives;
- 299 (ii) the pilot maintains student safety and privacy protections; and

- 300 (iii) the waiver is documented in the pilot authorization under Section 53E-11-206.
- 301 (4) The office shall approve applications meeting the criteria in Section 53E-11-206 unless
302 the state board rejects the application under Subsection (3).
- 303 (5) The state board has authority to enforce compliance with:
- 304 (a) Section 53E-11-208;
- 305 (b) Section 53E-11-209;
- 306 (c) Chapter 9, Part 3, Student Data Protection;
- 307 (d) other requirements in this part; and
- 308 (e) applicable state and federal law.
- 309 (6) The state board may suspend or terminate a pilot for violations of state or federal law.
- 310 (7) If the state board identifies a potential violation, the state board shall:
- 311 (a) document the specific statutory provision or law allegedly violated;
- 312 (b) collect evidence of the violation;
- 313 (c) notify the office, sandbox participant, and vendor simultaneously within 24 hours;
314 and
- 315 (d) provide all evidence and documentation to all parties.
- 316 (8) For non-imminent violations, the sandbox participant and vendor have five business
317 days to:
- 318 (a) respond to the alleged violation;
- 319 (b) provide evidence of compliance; or
- 320 (c) propose corrective action.
- 321 (9) The state board may issue an immediate temporary suspension of a sandbox pilot only if
322 the state board determines that:
- 323 (a) the pilot presents an imminent threat to student safety or student privacy; and
- 324 (b) the imminent threat described in Subsection (9)(a) constitutes a material violation of
325 state or federal law.
- 326 (10) If the conditions in Subsection (8) are not met, enforcement actions shall proceed
327 under the notice and response procedures otherwise provided in this section.
- 328 (11) The state board shall determine appropriate remedies for violations including:
- 329 (a) corrective action plans;
- 330 (b) temporary suspension pending corrective action; or
- 331 (c) termination of pilot participation.
- 332 (12) The state board shall:
- 333 (a) maintain records of enforcement actions;

- 334 (b) report monthly to the office and Regulatory Relief Advisory Council on:
335 (i) safety monitoring activities;
336 (ii) violations identified;
337 (iii) enforcement actions taken;
338 (iv) temporary suspensions issued; and
339 (v) corrective actions implemented; and
340 (c) provide enforcement records to the office for inclusion in legislative reports.

341 Section 8. Section **53E-11-205** is enacted to read:

342 **53E-11-205 (Effective 07/01/26). Statewide adoption process.**

- 343 (1) The state board shall ensure independent evaluation is completed as required by Section
344 53E-11-214 following pilot completion.
345 (2) The office shall compile following pilot completion:
346 (a) independent evaluation evidence and findings;
347 (b) pilot participant reports and feedback;
348 (c) safety incident records and resolutions;
349 (d) privacy compliance documentation;
350 (e) parent and student satisfaction data; and
351 (f) cost and implementation data.
352 (3) The state board shall review compiled evidence and provide recommendations to the
353 Legislature based on:
354 (a) measured educational outcomes from independent evaluation including student
355 achievement gains, skill development, and learning progression compared to control
356 groups or baseline data;
357 (b) documented safety records including frequency and severity of incidents,
358 effectiveness of safety protocols, and resolution of safety concerns;
359 (c) verified privacy compliance including audit results, breach incidents if any, and
360 vendor adherence to data protection requirements;
361 (d) demonstrated academic integrity including rates of authentic student work,
362 effectiveness of integrity safeguards, and educator assessment of work quality;
363 (e) educator professional judgment based on implementation experience including
364 workload impacts, training adequacy, and integration with instruction;
365 (f) parent and student satisfaction based on survey data, opt-out rates, complaint records,
366 and stakeholder feedback;
367 (g) cost-effectiveness analysis comparing costs to educational benefits, scalability

- 368 considerations, and comparison to alternative approaches;
- 369 (h) nondiscrimination and equal educational opportunity, including:
- 370 (i) analysis of system performance across legally protected student populations;
- 371 (ii) evaluation of effectiveness for students with differing educational needs as
- 372 defined by federal or state law; and
- 373 (iii) identification of any unintended disparate academic harm necessary to ensure
- 374 compliance with federal civil rights requirements; and
- 375 (i) operational feasibility of statewide implementation including infrastructure
- 376 requirements, training needs, and technical support capacity.
- 377 (4) The state board recommendation shall:
- 378 (a) be based on evidence compiled under Subsection (2) and criteria specified in
- 379 Subsection (3);
- 380 (b) include specific findings for each criterion in Subsection (3);
- 381 (c) distinguish between evidence-supported findings and professional judgments;
- 382 (d) identify methodological limitations in evaluation data or areas where evidence is
- 383 insufficient;
- 384 (e) specify conditions for successful statewide implementation if recommending
- 385 adoption; and
- 386 (f) address stakeholder concerns raised during public hearings.
- 387 (5) The state board shall base recommendations on the criteria specified in Subsection (3).
- 388 (6) The state board shall conduct public hearings to:
- 389 (a) present evaluation findings and draft recommendations;
- 390 (b) receive testimony from sandbox participants, educators, parents, students, vendors,
- 391 and other stakeholders;
- 392 (c) consider input from the advisory council;
- 393 (d) address questions and concerns from the public; and
- 394 (e) revise recommendations as appropriate based on public input.
- 395 (7) No later than one year after completion of each pilot, the state board shall submit a final
- 396 recommendation to the Education Interim Committee regarding that pilot, including:
- 397 (a) executive summary of key findings;
- 398 (b) detailed analysis for each criterion in Subsection (3);
- 399 (c) complete evaluation reports and supporting evidence;
- 400 (d) stakeholder input received during public hearings;
- 401 (e) Regulatory Relief Advisory Council recommendations;

- 402 (f) proposed conditions for statewide implementation if recommending adoption;
 403 (g) minority views or dissenting opinions if any; and
 404 (h) implementation timeline and resource requirements..
- 405 (8) The Legislature retains authority to:
 406 (a) authorize, modify, or reject statewide adoption;
 407 (b) impose conditions on adoption;
 408 (c) require additional evaluation or pilot expansion before statewide adoption;
 409 (d) adopt statewide use despite negative state board recommendation if evidence
 410 supports;
 411 (e) reject statewide use despite positive state board recommendation; or
 412 (f) request additional analysis or information before making adoption decisions.
- 413 (9) If concerns arise regarding state board recommendation methodology:
 414 (a) the advisory council may submit supplemental analysis to the Legislature;
 415 (b) the office may submit independent analysis of pilot evidence; and
 416 (c) legislative staff may conduct an independent review of evaluation evidence.
- 417 (10) The state board may not:
 418 (a) mandate statewide use of artificial intelligence without legislative authorization;
 419 (b) require specific artificial intelligence systems or vendors without legislative
 420 authorization;
 421 (c) condition funding on artificial intelligence adoption without legislative authorization;
 422 or
 423 (d) recommend against statewide adoption:
 424 (i) based on failure to satisfy one or more criteria described in Subsection (3); or
 425 (ii) by identifying additional concerns supported by credible and documented
 426 evidence beyond the criteria described in Subsection (3), provided that the
 427 recommendation:
 428 (A) states the evidentiary basis for each concern; and
 429 (B) explains why the concern materially affects student safety, privacy, civil
 430 rights, or educational outcomes.

431 Section 9. Section **53E-11-206** is enacted to read:

432 **53E-11-206 (Effective 07/01/26). Application approval criteria.**

- 433 (1) The office shall approve a sandbox pilot application if the applicant demonstrates:
 434 (a) age-appropriate content and interactions;
 435 (b) student privacy compliance with this part and Chapter 9, Part 3, Student Data

- 436 Protection;
- 437 (c) human-in-the-loop educator supervision;
- 438 (d) parental notice and opt-out rights under Section 53E-11-209;
- 439 (e) completed educator training;
- 440 (f) methods to measure educational outcomes; and
- 441 (g) completed safety testing under Section 53E-11-207.
- 442 (2) The office shall review applications within 30 calendar days of receipt of a complete
- 443 application.
- 444 (3) If an application is incomplete, the office shall notify the applicant within 10 business
- 445 days specifying what additional information is required.
- 446 (4) The office shall issue approval or denial in writing with specific findings regarding each
- 447 criterion in Subsection (1).
- 448 (5) A denied applicant may reapply after addressing deficiencies identified in the denial.
- 449 (6) The office shall provide written authorization to approved pilots specifying:
- 450 (a) pilot duration not to exceed three years;
- 451 (b) participating LEAs;
- 452 (c) student population and grade levels;
- 453 (d) any conditions or limitations on pilot operation; and
- 454 (e) reporting and evaluation requirements.
- 455 (7) A public school participating in an innovative education program under Section
- 456 53G-7-221 may apply as a sandbox participant.
- 457 (8) For an innovation school applying under Subsection (7), the office shall:
- 458 (a) consider the innovation plan approved under Section 53G-7-221 as evidence of
- 459 readiness for pilot participation;
- 460 (b) coordinate approval timelines with the innovation school's existing waiver authority;
- 461 and
- 462 (c) avoid duplicative requirements already addressed in the approved innovation plan.
- 463 (9) For a subsequent LEA seeking to use an artificial intelligence system already approved
- 464 for another sandbox participant:
- 465 (a) the office may use an expedited application process;
- 466 (b) the applicant may reference the existing vendor's safety testing and red teaming
- 467 documentation;
- 468 (c) the office shall approve the application within 15 calendar days if:
- 469 (i) the previously approved pilot demonstrated compliance with this part;

- 470 (ii) the applicant demonstrates equivalent capacity for implementation; and
471 (iii) no material changes to the system have occurred since initial approval.
- 472 (10) Multiple LEAs may submit a joint application to use the same artificial intelligence
473 system if:
- 474 (a) all participating LEAs meet the criteria in Subsection (1);
475 (b) the application identifies all participating LEAs and student populations; and
476 (c) each LEA designates a point of contact for pilot administration.
- 477 Section 10. Section **53E-11-207** is enacted to read:
- 478 **53E-11-207 (Effective 07/01/26). Safety testing and red teaming requirements.**
- 479 (1) A vendor shall conduct red teaming exercises that test system responses to harmful
480 requests that minors might reasonably make, including:
- 481 (a) requests for assistance with self-harm, suicide, or dangerous activities;
482 (b) requests to bypass safety filters or generate age-inappropriate content;
483 (c) attempts to manipulate the system into providing harmful advice or misinformation;
484 (d) requests that could undermine academic integrity including requests to complete
485 assignments or generate answers;
486 (e) attempts to access or generate sexual, violent, or otherwise inappropriate content for
487 minors;
488 (f) social engineering attempts to extract personal information or circumvent privacy
489 protections;
490 (g) attempts to use the system to harass, bully, or harm other students; and
491 (h) other foreseeable misuse patterns by students in the target age range.
- 492 (2) A vendor shall document red teaming methodology including:
- 493 (a) test scenarios and system responses;
494 (b) safety refusal success rates;
495 (c) identified vulnerabilities and mitigation plans;
496 (d) comparison to industry benchmarks where available;
497 (e) testing team qualifications; and
498 (f) planned safety improvements.
- 499 (3) A vendor shall provide red teaming documentation to the office with pilot applications
500 that includes:
- 501 (a) executive summary of testing scope, methodology, and key findings;
502 (b) detailed results for each category in Subsection (1);
503 (c) evidence that testing was conducted by qualified personnel;

- 504 (d) attestation that testing reflects realistic scenarios minors might attempt; and
505 (e) commitment to ongoing safety monitoring during pilot operation.
- 506 (4) A vendor shall conduct updated red teaming when:
- 507 (a) making material changes to the artificial intelligence system during pilot operation;
508 (b) expanding to new grade levels or age groups not covered by initial testing;
509 (c) adding new features or functionalities;
510 (d) requested by the office based on safety incidents or concerns; or
511 (e) at least annually during multi-year pilots.
- 512 (5) A vendor shall:
- 513 (a) share age-appropriate red teaming results with sandbox participants;
514 (b) provide educators with guidance on recognizing when students may be attempting to
515 misuse the system;
516 (c) report safety failures discovered during pilots to the office within 48 hours;
517 (d) implement corrective measures for newly discovered vulnerabilities; and
518 (e) share information about serious safety vulnerabilities with other sandbox participants.
- 519 (6) A vendor shall ensure red teaming exercises:
- 520 (a) use realistic scenarios based on documented student behavior patterns;
521 (b) include age-appropriate test cases for each grade level the system will serve;
522 (c) are conducted by individuals with expertise in child safety, education, child
523 development, artificial intelligence safety, or cybersecurity;
524 (d) reflect both obvious attacks and sophisticated attempts;
525 (e) are updated periodically to address emerging risks; and
526 (f) meet or exceed industry best practices for artificial intelligence safety testing.
- 527 (7) The office may:
- 528 (a) establish minimum standards for red teaming adequacy in consultation with the
529 advisory council;
530 (b) require additional testing if initial documentation reveals insufficient scope;
531 (c) engage independent experts to review vendor red teaming methodologies and results;
532 (d) require specific test scenarios based on Utah-specific concerns;
533 (e) deny applications if red teaming reveals unmitigated safety risks;
534 (f) suspend pilots if safety failures during operation reveal red teaming was inadequate;
535 and
536 (g) require vendors to demonstrate improvements before pilot resumption following
537 safety-related suspension.

- 538 (8) The office shall handle red teaming documentation submitted to the office as follows:
- 539 (a) the documentation is subject to Title 63G, Chapter 2, Government Records Access
- 540 and Management Act;
- 541 (b) the office may protect the documentation from public disclosure under Subsection
- 542 63G-2-305(1) or (2) to the extent it contains trade secrets;
- 543 (c) the office shall make the documentation publicly available in summary form
- 544 showing:
- 545 (i) categories of harmful requests tested;
- 546 (ii) overall success rates of safety refusals by category;
- 547 (iii) high-level description of identified vulnerabilities and mitigation status; and
- 548 (iv) comparison to industry benchmarks where available; and
- 549 (d) the office shall make the documentation available in full to the advisory council
- 550 under confidentiality agreements.
- 551 (9) For a pilot that exceeds one year, a vendor shall:
- 552 (a) conduct an annual safety review using updated red teaming;
- 553 (b) report a material change in system capabilities or behaviors to the office within 30
- 554 days;
- 555 (c) document a safety incident and remediation measure; and
- 556 (d) certify continued compliance with the safety requirements in this section.
- 557 (10) The office shall:
- 558 (a) maintain a public registry of vendors who have completed satisfactory red teaming;
- 559 (b) publish annual analysis of red teaming results across all sandbox participants;
- 560 (c) require vendors to attest quarterly that safety controls tested during red teaming
- 561 remain effective; and
- 562 (d) investigate discrepancies between red teaming results and actual pilot safety
- 563 performance.
- 564 (11) This section may not be read to:
- 565 (a) require vendors to make artificial intelligence systems invulnerable to all possible
- 566 misuse attempts;
- 567 (b) create liability for vendors who conduct good-faith red teaming and implement
- 568 reasonable mitigations;
- 569 (c) prevent vendors from improving safety controls during pilots; or
- 570 (d) require disclosure of testing methodologies that constitute legitimate trade secrets.
- 571 Section 11. Section **53E-11-208** is enacted to read:

- 572 **53E-11-208 (Effective 07/01/26). Student safety and crisis response.**
- 573 (1) A vendor's artificial intelligence system shall not:
- 574 (a) provide sexual, exploitative, or age-inappropriate content;
- 575 (b) provide methods, encouragement, or normalization of self-harm, suicide, or
- 576 dangerous activities;
- 577 (c) create emotional manipulation or simulated emotional dependency;
- 578 (d) discourage seeking help from parents, counselors, teachers, or trusted adults;
- 579 (e) simulate romantic or personal relationships or portray the artificial intelligence
- 580 system as a substitute for human relationships; or
- 581 (f) operate without human-in-the-loop educator supervision.
- 582 (2) A vendor shall ensure the vendor's artificial intelligence system:
- 583 (a) does not provide mental health diagnosis or treatment;
- 584 (b) does not provide crisis counseling or therapeutic intervention;
- 585 (c) does not simulate the role of a mental health professional; and
- 586 (d) does not discourage contact with licensed counselors, parents, or crisis services.
- 587 (3) A vendor shall program the vendor's artificial intelligence system to provide immediate
- 588 access to crisis resources when a student explicitly expresses self-harm ideation, suicidal
- 589 thoughts, or requests mental health crisis support, including:
- 590 (a) SafeUT crisis text and chat line with direct connection capability where technically
- 591 feasible;
- 592 (b) National Suicide Prevention Lifeline;
- 593 (c) school counselor contact information; and
- 594 (d) encouragement to contact parents, trusted adults, or emergency services.
- 595 (4) The state board shall adopt rules establishing:
- 596 (a) integration protocols with SafeUT and other crisis-response services;
- 597 (b) appropriate crisis resource messaging and referral procedures;
- 598 (c) incident documentation requirements;
- 599 (d) educator notification procedures when crisis resources are provided to students; and
- 600 (e) training requirements for educators on recognizing when students may need crisis
- 601 support.
- 602 (5) A sandbox participant, educator, or vendor that provides crisis resources in good-faith
- 603 compliance with this section and applicable rules is not liable for:
- 604 (a) the content or effectiveness of crisis services provided by third-party crisis-response
- 605 providers including SafeUT;

- 606 (b) student decisions to use or not use provided crisis resources; or
607 (c) outcomes of mental health crises when appropriate resources are timely provided
608 consistent with this section.

609 Section 12. Section **53E-11-209** is enacted to read:

610 **53E-11-209 (Effective 07/01/26). Parental rights and transparency.**

- 611 (1) A vendor shall ensure the vendor's artificial intelligence system provides
612 age-appropriate content filtering, safety controls, and interaction limitations suitable for
613 the student population served.
- 614 (2) A parent may opt the parent's student out of artificial intelligence use without academic
615 penalty to the student.
- 616 (3) A parent may request alternative instruction methods for students who opt out or for
617 whom artificial intelligence is not appropriate.
- 618 (4) An LEA shall ensure students who opt out have access to equivalent educational
619 opportunities and are not disadvantaged academically.
- 620 (5) A sandbox participant shall provide parents:
- 621 (a) annual written notice of artificial intelligence use in the parent's student's education;
622 (b) clear disclosure when the parent's student will interact with conversational artificial
623 intelligence;
- 624 (c) a description of artificial intelligence system capabilities, limitations, and data
625 practices in plain language;
- 626 (d) an opportunity to opt out of artificial intelligence use without academic penalty to the
627 student;
- 628 (e) information about alternative instruction methods available if opting out; and
629 (f) contact information for questions or concerns about artificial intelligence use.
- 630 (6) A parent may:
- 631 (a) inspect AI-generated records concerning the parent's student;
632 (b) request data deletion consistent with federal law and Section 53E-11-211;
633 (c) request educator meetings regarding AI use;
634 (d) opt out at any time; and
635 (e) file complaints regarding AI use, safety, or privacy.
- 636 (7) A sandbox participant shall ensure notice required by this section:
- 637 (a) is provided in writing at the beginning of each school year and when material
638 changes occur;
- 639 (b) is written in plain language accessible to parents without technical expertise;

- 640 (c) is available in languages spoken by significant portions of the parent population; and
641 (d) is provided through multiple communication channels.

642 (8) An LEA shall maintain records of parent notifications and opt-out requests.

643 Section 13. Section **53E-11-210** is enacted to read:

644 **53E-11-210 (Effective 07/01/26). Academic integrity and student rights.**

645 (1) A sandbox participant shall ensure artificial intelligence functions as learning support
646 and skill development, not work substitution or answer generation.

647 (2) A vendor shall ensure the vendor's artificial intelligence system:

648 (a) does not independently assign final grades without educator review and approval;

649 (b) does not make academic placement decisions without educator review and approval;

650 and

651 (c) does not provide complete answers to assignments or assessments in a manner that
652 undermines learning objectives or assessment validity.

653 (3) A student retains ownership of intellectual work product created with artificial
654 intelligence assistance.

655 (4) An educator retains final authority over:

656 (a) assessment and grading of student work;

657 (b) instructional decisions and pedagogical approaches;

658 (c) student academic records and transcripts; and

659 (d) determination of whether student work meets academic standards.

660 (5) A sandbox participant shall require a student to disclose use of substantial artificial
661 intelligence assistance on assignments and assessments consistent with:

662 (a) academic honesty policies established by the LEA;

663 (b) educator instructions for specific assignments; and

664 (c) age-appropriate expectations for understanding and disclosure.

665 (6) The state board shall adopt rules establishing:

666 (a) guidelines for appropriate artificial intelligence use in different educational contexts;

667 (b) disclosure expectations for students using artificial intelligence assistance;

668 (c) educator training on maintaining academic integrity; and

669 (d) best practices for distinguishing between appropriate learning support and work
670 substitution.

671 (7) A sandbox participant shall ensure a student has the right to:

672 (a) know when the student is interacting with an artificial intelligence system rather than
673 a human teacher, tutor, or counselor;

- 674 (b) receive explanation of how artificial intelligence-generated feedback,
675 recommendations, or assessments were produced;
- 676 (c) request human educator review of any student-impacting decision before it takes
677 final effect;
- 678 (d) report concerns about artificial intelligence outputs, errors, bias, or inappropriate
679 content without fear of retaliation or academic penalty;
- 680 (e) access quality education regardless of artificial intelligence system availability or
681 functionality; and
- 682 (f) have the student's questions, concerns, and learning needs addressed by human
683 educators.
- 684 (8) A sandbox participant shall ensure for any student-impacting decision:
- 685 (a) the sandbox participant provides explanation of the artificial intelligence system's
686 role and general basis for the output upon request by a student or parent;
- 687 (b) the sandbox participant provides human educator review upon request before the
688 decision takes final effect;
- 689 (c) the reviewing educator:
- 690 (i) examines the artificial intelligence output;
- 691 (ii) exercises independent professional judgment;
- 692 (iii) considers individual student context and circumstances; and
- 693 (iv) retains authority to modify or reject the artificial intelligence recommendation;
694 and
- 695 (d) a student may contest the decision through existing school appeal procedures.
- 696 (9) A sandbox participant may not penalize a student for:
- 697 (a) declining to use optional artificial intelligence tools or features;
- 698 (b) requesting alternative assessment methods that do not involve artificial intelligence;
- 699 (c) reporting problems, errors, or concerns with artificial intelligence systems; or
- 700 (d) requesting human review of artificial intelligence-generated outputs.
- 701 (10) This section does not create a private right of action beyond remedies available under
702 existing law.

703 Section 14. Section **53E-11-211** is enacted to read:

704 **53E-11-211** (Effective 07/01/26). **Student data privacy and vendor accountability.**

- 705 (1) A vendor and sandbox participant shall ensure student data collected, generated, or
706 processed through artificial intelligence systems:
- 707 (a) is not sold to third parties;

- 708 **(b) is not used for targeted advertising;**
709 **(c) is not used for commercial purposes unrelated to contracted educational services;**
710 **(d) is not disclosed to third parties except as required by law or with explicit parental**
711 **consent; and**
712 **(e) is protected consistent with Chapter 9, Part 3, Student Data Protection.**
713 **(2) A vendor and sandbox participant shall comply with all requirements of Chapter 9, Part**
714 **3, Student Data Protection.**
715 **(3) Breach notification, enforcement, deletion, and contract-termination provisions of**
716 **Section 53E-9-309 apply to sandbox participants and vendors.**
717 **(4) A vendor and sandbox participant shall retain student data only for the minimum time**
718 **necessary for:**
719 **(a) providing contracted educational services;**
720 **(b) complying with legal obligations;**
721 **(c) conducting evaluation required by this part; or**
722 **(d) other purposes explicitly authorized by parents.**
723 **(5) Upon completion or termination of a pilot, a vendor shall:**
724 **(a) delete all student data within 90 days unless retention is required by law or**
725 **authorized by parents;**
726 **(b) provide written certification of deletion to the sandbox participant and state board;**
727 **and**
728 **(c) destroy all backup copies containing student data.**
729 **(6) For purposes of Chapter 9, Part 3, Student Data Protection, properly de-identified data**
730 **that cannot reasonably identify individual students is not considered student data.**
731 **(7) A vendor or sandbox participant may use de-identified data for:**
732 **(a) system improvement and quality assurance;**
733 **(b) independent evaluation required under Section 53E-11-214;**
734 **(c) educational research approved by the state board;**
735 **(d) aggregate reporting and statistical analysis; and**
736 **(e) development of improved educational tools and methodologies.**
737 **(8) A vendor or sandbox participant may not use or disclose de-identified student data**
738 **unless the data:**
739 **(a) complies with applicable federal and state law governing student data privacy;**
740 **(b) is subject to contractual prohibitions on re-identification; and**
741 **(c) meets technical standards established by state board rule, which:**

- 742 (i) are consistent with applicable federal law; and
743 (ii) may reference federal guidance, industry standards, or generally accepted
744 technical methodologies for de-identification.
- 745 (9) A person may not re-identify de-identified data.
- 746 (10) A violation of Subsection (9) constitutes:
- 747 (a) a material contract breach subject to immediate termination; and
748 (b) a violation of Chapter 9, Part 3, Student Data Protection, subject to applicable
749 penalties.
- 750 (11) This section does not authorize:
- 751 (a) use of student data in violation of Chapter 9, Part 3, Student Data Protection;
752 (b) circumvention of parental rights or consent requirements; or
753 (c) disclosure of information that could reasonably identify individual students.
- 754 (12) A vendor shall:
- 755 (a) certify compliance with this part and applicable law;
756 (b) provide transparent documentation to sandbox participants of:
- 757 (i) data collection, use, and retention practices;
758 (ii) known system limitations, failure modes, and error rates;
759 (iii) content moderation policies and filtering mechanisms;
760 (iv) safety testing and red teaming results as required by Section 53E-11-207;
761 (v) security measures protecting student data;
762 (vi) incident response and error correction procedures; and
763 (vii) vendor ownership structure and any foreign-entity relationships;
- 764 (c) establish accessible mechanisms for educators, parents, and students to report
765 concerns, errors, inappropriate outputs, or safety issues;
- 766 (d) agree to contractual terms that:
- 767 (i) prohibit use of student data for commercial purposes beyond contracted service
768 provisions;
- 769 (ii) prohibit sale or transfer of student data to third parties;
770 (iii) prohibit retention of student data beyond contract termination except as required
771 by law or authorized by parents;
772 (iv) require data deletion within 90 days of pilot completion with written certification;
773 (v) provide indemnification protecting the state and sandbox participants from vendor
774 conduct violating this part; and
775 (vi) submit to Utah jurisdiction for disputes arising under this part;

- 776 (e) demonstrate compliance with student-privacy laws including Chapter 9, Part 3,
 777 Student Data Protection;
 778 (f) maintain reasonable administrative, technical, and physical cybersecurity safeguards
 779 to protect student data from unauthorized access, disclosure, or breach; and
 780 (g) not be owned, controlled, or subject to the jurisdiction of a foreign adversary.

781 (13) The state board may:

- 782 (a) maintain a registry of vendors that have demonstrated compliance with this part;
 783 (b) establish certification standards for vendor participation in sandbox pilots; and
 784 (c) remove vendors from the registry for violations of this part or applicable law.

785 (14) A sandbox participant shall ensure that a contract with a vendor includes:

- 786 (a) clear performance standards and service-level expectations;
 787 (b) termination provisions allowing immediate termination for non-compliance with this
 788 part;
 789 (c) data deletion requirements with certification upon termination;
 790 (d) audit rights allowing verification of compliance;
 791 (e) incident reporting requirements;
 792 (f) indemnification protecting the state and the sandbox participant; and
 793 (g) dispute resolution procedures.

794 (15) A vendor may voluntarily disclose additional safety testing, evaluation results, or
 795 quality assurance measures beyond minimum requirements.

796 Section 15. Section **53E-11-212** is enacted to read:

797 **53E-11-212 (Effective 07/01/26). Educator training.**

- 798 (1) A sandbox participant may not permit an educator to use an artificial intelligence
 799 system with students until the educator completes required training addressing:
 800 (a) effective pedagogical use of artificial intelligence as a learning support tool;
 801 (b) identification of system limitations, errors, biases, and inappropriate outputs;
 802 (c) academic integrity monitoring and prevention of student misuse;
 803 (d) student data privacy obligations under this part and Chapter 9, Part 3, Student Data Pr
 804 otection;
 805 (e) recognition of bias, inappropriate content, or safety concerns in artificial intelligence
 806 outputs;
 807 (f) appropriate response when students express mental health concerns or crisis needs;
 808 (g) integration of artificial intelligence use with traditional instruction; and
 809 (h) student supervision and oversight requirements.

- 810 (2) The state board shall develop training requirements and curricula in consultation with:
 811 (a) classroom teachers with artificial intelligence experience in educational settings;
 812 (b) education technology specialists;
 813 (c) student privacy experts;
 814 (d) parent representatives;
 815 (e) mental health professionals familiar with school settings; and
 816 (f) the advisory council.
- 817 (3) The state board shall ensure training:
 818 (a) is provided at no cost to educators;
 819 (b) is available in multiple formats including online, in-person, and hybrid options;
 820 (c) is updated periodically to reflect technological developments and lessons learned; and
 821 (d) is accessible to educators with varying levels of technical expertise.
- 822 (4) The state board may establish different training requirements for different types or
 823 levels of artificial intelligence use.

824 Section 16. Section **53E-11-213** is enacted to read:

825 **53E-11-213 (Effective 07/01/26). Liability protection.**

- 826 (1) A sandbox participant, educator, or vendor acting in good-faith compliance with this
 827 part and applicable state board rules is not liable solely for approved artificial
 828 intelligence use in a sandbox pilot.
- 829 (2) The liability protection in Subsection (1) does not apply to:
 830 (a) gross negligence or willful misconduct;
 831 (b) violations of student-privacy law including Chapter 9, Part 3, Student Data
 832 Protection;
 833 (c) violations of this part or rules adopted under this part;
 834 (d) contractual obligations between parties; or
 835 (e) conduct outside the scope of the approved pilot.
- 836 (3) This section does not:
 837 (a) waive governmental immunity under Title 63G, Chapter 7, Governmental Immunity
 838 Act of Utah;
 839 (b) create new causes of action not otherwise available under law;
 840 (c) limit remedies available for violations of student privacy, safety, or civil rights; or
 841 (d) prevent enforcement actions by the state board or other authorities for violations of
 842 this part.
- 843 (4) Good-faith provision of crisis resources consistent with Section 53E-11-208 does not

- 844 create liability for:
- 845 (a) the content or effectiveness of crisis services provided by third-party providers
- 846 including SafeUT;
- 847 (b) student decisions to use or not use provided crisis resources; or
- 848 (c) outcomes of mental health crises when appropriate resources are timely provided.
- 849 Section 17. Section **53E-11-214** is enacted to read:
- 850 **53E-11-214 (Effective 07/01/26). Independent evaluation.**
- 851 (1) The state board shall ensure independent evaluation of sandbox pilots.
- 852 (2) The state board shall ensure independent evaluation measures, including:
- 853 (a) educational outcomes including student achievement, engagement, critical thinking
- 854 development, and preparation for technology use;
- 855 (b) student safety and well-being including incidents, mental health impacts, crisis
- 856 resource provisions, and student satisfaction;
- 857 (c) privacy and cybersecurity including compliance with Chapter 9, Part 3, Student Data
- 858 Protection, data breaches, vendor compliance, and parent concerns;
- 859 (d) academic integrity including impact on authentic student work, incidents of misuse,
- 860 and effectiveness of safeguards;
- 861 (e) educator experience including professional satisfaction, workload impacts, training
- 862 adequacy, and implementation challenges;
- 863 (f) parental satisfaction including transparency adequacy, safety and privacy concerns,
- 864 and opt-out rates; and
- 865 (g) cost-effectiveness including implementation costs, time impacts, comparison to
- 866 alternatives, and scalability.
- 867 (3) The state board shall ensure an evaluator:
- 868 (a) is independent of vendors, sandbox participants, and the state board;
- 869 (b) is qualified through expertise in educational research, evaluation methodology, or
- 870 relevant fields; and
- 871 (c) is selected through competitive processes ensuring quality and independence.
- 872 (4) The office shall report to the Education Interim Committee upon request regarding:
- 873 (a) approved sandbox pilots and participating LEAs;
- 874 (b) evaluation findings from completed or ongoing pilots;
- 875 (c) student safety incidents and resolutions;
- 876 (d) privacy compliance and any breaches or violations;
- 877 (e) state board enforcement actions and appeals;

- 878 (f) aggregate opt-out rates and patterns;
879 (g) lessons learned and best practices identified;
880 (h) challenges encountered and recommended solutions;
881 (i) advisory council recommendations;
882 (j) vendor red teaming results and safety performance; and
883 (k) recommendations regarding policy, rules, or statewide adoption.
- 884 (5) The state board shall ensure independent evaluations use rigorous research
885 methodologies including:
- 886 (a) quantitative outcome measures including:
- 887 (i) pre-post assessment of student learning using validated instruments;
888 (ii) comparison groups or baseline data to isolate artificial intelligence effects;
889 (iii) statistical analysis of achievement gains, skill development, and learning
890 progression;
891 (iv) disaggregated analysis by student subgroups;
892 (v) effect size calculations to determine practical significance of outcomes; and
893 (vi) evaluation methods sufficient to allow reliable determination of whether the
894 artificial intelligence system meaningfully improves student learning outcomes,
895 including disclosure of methodological limitations that could materially affect
896 interpretation of results;
- 897 (b) qualitative evidence collection including:
- 898 (i) structured interviews with educators, students, and parents;
899 (ii) classroom observations of artificial intelligence use and integration;
900 (iii) analysis of student work samples and learning artifacts;
901 (iv) case studies of implementation challenges and successes; and
902 (v) documentation of pedagogical approaches and adaptations;
- 903 (c) safety and well-being monitoring including:
- 904 (i) systematic tracking of safety incidents, inappropriate outputs, or student concerns;
905 (ii) student surveys on experience, satisfaction, and perceived safety;
906 (iii) documentation of crisis resource provisions and outcomes;
907 (iv) analysis of bias patterns or inequitable impacts; and
908 (v) mental health and well-being indicators; and
- 909 (d) implementation fidelity assessment including:
- 910 (i) documentation of educator training completion and quality;
911 (ii) monitoring of human-in-the-loop supervision adherence;

- 912 (iii) analysis of system usage patterns and engagement;
913 (iv) identification of implementation barriers and facilitators; and
914 (v) resource requirements and cost tracking.
- 915 (6) The state board shall ensure evaluation methodologies meet standards for:
916 (a) internal validity;
917 (b) external validity;
918 (c) reliability;
919 (d) objectivity; and
920 (e) transparency.
- 921 (7) The state board shall ensure educational effectiveness determinations are based on:
922 (a) student learning outcomes measured through:
923 (i) standardized assessments where available and appropriate;
924 (ii) curriculum-based measures aligned with learning objectives;
925 (iii) authentic performance tasks and work samples;
926 (iv) educator professional judgment of student progress; and
927 (v) student self-assessment and metacognitive growth;
928 (b) comparison to alternatives including:
929 (i) outcomes compared to traditional instruction without artificial intelligence;
930 (ii) outcomes compared to other educational interventions or technologies;
931 (iii) cost-effectiveness relative to alternatives; and
932 (iv) value-added analysis isolating artificial intelligence contributions; and
933 (c) practical significance including:
934 (i) magnitude of achievement gains relative to investment;
935 (ii) impact on students most in need of support;
936 (iii) sustainability and scalability considerations; and
937 (iv) educator and student experience quality.
- 938 (8) The state board shall apply evaluation standards consistently with other educational
939 interventions or technologies.
- 940 (9) The Legislature may consider:
941 (a) peer review of evaluation methodologies and findings by external education
942 researchers;
943 (b) replication of successful pilots in additional settings before statewide adoption;
944 (c) cost-benefit analysis including both financial and educational outcomes;
945 (d) implementation support and training infrastructure needed for successful scaling;

- 946 (e) comparison to evidence for other statewide educational initiatives or adoptions; and
 947 (f) stakeholder consensus or concerns about statewide implementation.

948 (10) Statewide adoption decisions are legislative determinations based on totality of
 949 evidence.

950 Section 18. Section **53E-11-215** is enacted to read:

951 **53E-11-215 (Effective 07/01/26). Rulemaking.**

952 In addition to rulemaking authority granted to the office under Section 53E-11-218, the
 953 state board may make rules in accordance with Title 63G, Chapter 3, Utah Administrative
 954 Rulemaking Act, to implement this part, including:

- 955 (1) pilot application procedures and approval criteria in coordination with the office;
 956 (2) educator training requirements, curricula, and delivery methods;
 957 (3) vendor certification standards and registry procedures;
 958 (4) age-appropriate content and interaction standards for different grade levels;
 959 (5) crisis resource integration protocols with SafeUT and other services;
 960 (6) student data retention, de-identification, and deletion standards;
 961 (7) incident reporting procedures and timelines;
 962 (8) evaluation methodologies and reporting requirements;
 963 (9) enforcement procedures for violations of this part;
 964 (10) minimum standards for red teaming adequacy under Section 53E-11-207; and
 965 (11) other matters necessary to implement this part.

966 Section 19. Section **53E-11-216** is enacted to read:

967 **53E-11-216 (Effective 07/01/26). Technical assistance for education technology**
 968 **companies.**

969 (1) As used in this section, "Utah-based company" means a company that:

- 970 (a) is incorporated or organized under state law or maintains a principal place of
 971 business in the state; and
 972 (b) employs a majority of the company's workforce in state or maintains significant
 973 operations in the state.

974 (2) The state board shall provide technical assistance for education technology innovation
 975 by:

- 976 (a) publishing clear guidance documents explaining approval criteria under Section
 977 53E-11-206, compliance requirements, common pitfalls, and best practices;
 978 (b) providing example documentation and templates for sandbox pilot applications
 979 including red teaming documentation;

- 980 (c) offering technical assistance to companies developing compliance documentation;
981 (d) maintaining regular office hours for regulatory questions before application
982 submission in coordination with the office;
983 (e) connecting approved vendors with interested LEAs and facilitating introductions;
984 (f) publishing case studies of successful sandbox pilots;
985 (g) including state-based education technology companies in state education conferences
986 and technology showcase events;
987 (h) recognizing innovative pilots and successful implementations in state board
988 publications and communications; and
989 (i) coordinating with economic development agencies regarding education technology
990 innovation.
- 991 (3) The state board may provide state-based education technology companies participating
992 in the sandbox:
- 993 (a) dedicated technical assistance from state education technology specialists during
994 application development;
995 (b) introductions to potential pilot partner LEAs based on product focus and LEA needs;
996 (c) inclusion in state education technology showcase events and conferences;
997 (d) recognition in state board publications, website, and communications;
998 (e) opportunities to present findings and best practices to the advisory council and state
999 board; and
1000 (f) networking opportunities with other state education technology companies,
1001 educators, and investors.
- 1002 (4) The state board shall:
- 1003 (a) develop and publish criteria for Utah-based company designations;
1004 (b) establish processes for companies to demonstrate state-based status;
1005 (c) ensure support programs are administered fairly and transparently;
1006 (d) maintain data on participation by Utah-based companies in the sandbox; and
1007 (e) coordinate with the advisory council on recommendations for supporting state
1008 education technology innovation.
- 1009 (5) Nothing in this section:
- 1010 (a) creates different approval standards or safety requirements based on company
1011 location;
1012 (b) exempts any company from compliance with this part;
1013 (c) guarantees approval of any application; or

1014 (d) prevents non-state companies from participating in the sandbox on equal terms
 1015 regarding safety and privacy standards.

1016 (6) An innovation LEA as defined in Section 53G-7-221 may use budget flexibility
 1017 authorized under Section 53G-7-222 to support participation in sandbox pilots, subject
 1018 to the requirements of that section.

1019 Section 20. Section **53E-11-217** is enacted to read:

1020 **53E-11-217 (Effective 07/01/26). Educational principles for artificial intelligence**
 1021 **deployment.**

1022 (1) This section states the following principles to guide the interpretation and
 1023 administration of this chapter:

1024 (a) artificial intelligence in public education should support rather than replace human
 1025 teaching and learning relationships;

1026 (b) artificial intelligence should serve student learning and well-being as the primary
 1027 objective;

1028 (c) artificial intelligence should operate transparently and subject to meaningful human
 1029 oversight;

1030 (d) artificial intelligence should respect parental authority, student dignity, and
 1031 nondiscriminatory access to education consistent with federal and state law; and

1032 (e) when artificial intelligence supports instruction in history, civics, or social studies:

1033 (i) the system shall prioritize historically accurate, period-relevant primary sources;

1034 (ii) the system shall avoid presentism in a manner consistent with academic freedom,
 1035 meaning the practice of interpreting historical actors or events primarily through
 1036 contemporary ideological frameworks without grounding in period-relevant
 1037 evidence; and

1038 (iii) the system shall support student engagement in objective evaluation of original
 1039 sources consistent with scholarly inquiry.

1040 (2) This chapter implements the principles described in Subsection (1) through:

1041 (a) preservation of educator authority over grading and instructional decisions under
 1042 Section 53E-11-210;

1043 (b) parental notice, access, and opt-out rights under Section 53E-11-209;

1044 (c) student safety and crisis-response protections under Section 53E-11-208;

1045 (d) student data privacy and vendor accountability under Section 53E-11-211;

1046 (e) human review of student-impacting decisions under Section 53E-11-210; and

1047 (f) historical source integrity in history, civics, and social studies instruction under

- 1048 Subsection (1)(e).
- 1049 (3) This section provides educational principles to guide the interpretation and
- 1050 administration of this chapter, but does not create a legal duty or requirement beyond a
- 1051 duty or requirement expressly established in this chapter.
- 1052 (4) This section:
- 1053 (a) does not create an independent cause of action;
- 1054 (b) may not be construed to establish a standard of care for purposes of negligence,
- 1055 professional malpractice, or other tort liability; and
- 1056 (c) does not expand a duty or obligation of a sandbox participant, educator, or vendor
- 1057 beyond a substantive requirement established in this chapter.
- 1058 (5) For purposes of sandbox pilot authorization and operation, compliance with the
- 1059 substantive requirements of this chapter, including:
- 1060 (a) the approval criteria under Section 53E-11-206;
- 1061 (b) the safety testing requirements under Section 53E-11-207; and
- 1062 (c) parental rights under Section 53E-11-209.
- 1063 (6) Subsections (4) and (5) do not limit:
- 1064 (a) enforcement of a substantive requirement established in this chapter;
- 1065 (b) the authority of the state board to adopt a rule implementing this chapter consistent
- 1066 with Section 53E-11-215; or
- 1067 (c) the authority of the Legislature to enact legislation addressing the use of artificial
- 1068 intelligence in public education.
- 1069 Section 21. Section **53E-11-218** is enacted to read:
- 1070 **53E-11-218 (Effective 07/01/26). Office rulemaking authority.**
- 1071 The office may make rules in accordance with Title 63G, Chapter 3, Utah
- 1072 Administrative Rulemaking Act, to implement this part, including:
- 1073 (1) pilot application procedures and approval criteria in coordination with the state board;
- 1074 (2) expedited application processes under Subsection 53E-11-206(9);
- 1075 (3) joint application procedures under Subsection 53E-11-206(10);
- 1076 (4) pilot monitoring and compliance verification procedures;
- 1077 (5) coordination protocols with the state board for enforcement matters;
- 1078 (6) public registry maintenance and reporting requirements;
- 1079 (7) waiver documentation requirements under Subsection 53E-11-204(3)(b); and
- 1080 (8) other administrative matters necessary to implement this part.
- 1081 Section 22. Section **63I-1-253** is amended to read:

- 1082 **63I-1-253 (Effective 07/01/26). Repeal dates: Titles 53 through 53G.**
- 1083 (1) Section 53-1-122, Road Rage Awareness and Prevention Restricted Account, is
1084 repealed July 1, 2028.
- 1085 (2) Section 53-2a-105, Emergency Management Administration Council created --
1086 Function -- Composition -- Expenses, is repealed July 1, 2029.
- 1087 (3) Section 53-2a-1103, Search and Rescue Advisory Board -- Members -- Compensation,
1088 is repealed July 1, 2030.
- 1089 (4) Section 53-2a-1104, General duties of the Search and Rescue Advisory Board, is
1090 repealed July 1, 2027.
- 1091 (5) Title 53, Chapter 2a, Part 15, Grid Resilience Committee, is repealed July 1, 2027.
- 1092 (6) Section 53-2d-104, State Emergency Medical Services Committee -- Membership --
1093 Expenses, is repealed July 1, 2029.
- 1094 (7) Section 53-2d-503, Establishment of maximum rates, is repealed July 1, 2027.
- 1095 (8) Section 53-5a-302, Concealed Firearm Review Board -- Membership -- Compensation
1096 -- Terms -- Duties, is repealed July 1, 2029.
- 1097 (9) Section 53-11-104, Board, is repealed July 1, 2029.
- 1098 (10) Title 53, Chapter 31, Department Interaction With Local Law Enforcement, is repealed
1099 July 1, 2027.
- 1100 (11) Subsection 53C-3-203(4)(b)(vii), regarding the distribution of money from the Land
1101 Exchange Distribution Account to the Geological Survey for test wells and other
1102 hydrologic studies in the West Desert, is repealed July 1, 2030.
- 1103 (12) Subsection 53E-1-201(1)(q), regarding the Higher Education and Corrections Council,
1104 is repealed July 1, 2027.
- 1105 (13) Subsection 53E-2-304(6), regarding foreclosing a private right of action or waiver of
1106 governmental immunity, is repealed July 1, 2027.
- 1107 (14) Subsection 53E-3-503(5), regarding coordinating councils for youth in care, is
1108 repealed July 1, 2027.
- 1109 (15) Subsection 53E-3-503(6), regarding coordinating councils for youth in care, is
1110 repealed July 1, 2027.
- 1111 (16) Subsection 53E-4-202(8)(b), regarding a standards review committee, is repealed
1112 January 1, 2028.
- 1113 (17) Section 53E-4-203, Standards review committee, is repealed January 1, 2028.
- 1114 (18) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is
1115 repealed July 1, 2033.

- 1116 (19) Subsection 53E-7-207(7), regarding a private right of action or waiver of governmental
1117 immunity, is repealed July 1, 2027.
- 1118 (20) Title 53E, Chapter 11, Part 2, Educational Technology Regulatory Sandbox, is
1119 repealed July 1, 2031.
- 1120 [~~(20)~~] (21) Section 53F-5-215, Elementary teacher preparation assessment grant, is repealed
1121 July 1, 2028.
- 1122 [~~(21)~~] (22) Section 53F-5-219, Local Innovations Civics Education Pilot Program, is
1123 repealed July 1, 2026.
- 1124 [~~(22)~~] (23) Title 53F, Chapter 10, Part 2, Capital Projects Evaluation Panel, is repealed July
1125 1, 2027.
- 1126 [~~(23)~~] (24) Subsection 53G-4-608(2)(b), regarding the Utah Seismic Safety Commission, is
1127 repealed January 1, 2025.
- 1128 [~~(24)~~] (25) Subsection 53G-4-608(4)(b), regarding the Utah Seismic Safety Commission, is
1129 repealed January 1, 2025.
- 1130 [~~(25)~~] (26) Section 53G-9-212, Drinking water quality in schools, is repealed July 1, 2027.
- 1131 [~~(26)~~] (27) Subsection 53G-9-703(4), regarding the parental video presentation concerning
1132 student use of technology, is repealed January 1, 2030.
- 1133 [~~(27)~~] (28) Subsection 53H-1-402(1)(j), regarding the Higher Education and Corrections
1134 Council, is repealed July 1, 2027.
- 1135 [~~(28)~~] (29) Section 53H-1-604, Higher Education and Corrections Council, is repealed July
1136 1, 2027.
- 1137 [~~(29)~~] (30) Subsection 53H-4-210(3), regarding the creation of the SafeUT and School
1138 Safety Commission, is repealed January 1, 2030.
- 1139 [~~(30)~~] (31) Subsection 53H-4-210(4), regarding the appointment of the members of the
1140 SafeUT and School Safety Commission, is repealed January 1, 2030.
- 1141 [~~(31)~~] (32) Subsection 53H-4-210(5), regarding the attorney general designating the chair of
1142 the SafeUT and School Safety Commission, is repealed January 1, 2030.
- 1143 [~~(32)~~] (33) Subsection 53H-4-210(6), regarding the quorum requirements of the SafeUT and
1144 School Safety Commission, is repealed January 1, 2030.
- 1145 [~~(33)~~] (34) Subsection 53H-4-210(7), regarding a formal action of the SafeUT and School
1146 Safety Commission, is repealed January 1, 2030.
- 1147 [~~(34)~~] (35) Subsection 53H-4-210(8), regarding compensation for members of the SafeUT
1148 and School Safety Commission, is repealed January 1, 2030.
- 1149 [~~(35)~~] (36) Subsection 53H-4-210(9), regarding the support staff for the SafeUT and School

- 1150 Safety Commission, is repealed January 1, 2030.
- 1151 [~~(36)~~] (37) Section 53H-4-306.1, Definitions -- Electrification of Transportation
- 1152 Infrastructure Research Center, is repealed July 1, 2028.
- 1153 [~~(37)~~] (38) Section 53H-4-306.2, Electrification of Transportation Infrastructure Research
- 1154 Center -- Designation -- Duties, is repealed July 1, 2028.
- 1155 [~~(38)~~] (39) Section 53H-4-306.3, Electrification of Transportation Infrastructure Research
- 1156 Center -- Steering committee, is repealed July 1, 2028.
- 1157 [~~(39)~~] (40) Section 53H-4-306.4, Electrification of Transportation Infrastructure Research
- 1158 Center -- Industry advisory board, is repealed July 1, 2028.
- 1159 [~~(40)~~] (41) Section 53H-4-306.5, Electrification of Transportation Infrastructure Research
- 1160 Center -- Duties of the project director, is repealed July 1, 2028.
- 1161 [~~(41)~~] (42) Section 53H-4-306.6, Electrification of Transportation Infrastructure Research
- 1162 Center -- Project development and strategic objectives -- Reporting requirements, is
- 1163 repealed July 1, 2028.
- 1164 [~~(42)~~] (43) Section 53H-4-307.1, Center for Civic Excellence, is repealed July 1, 2030.
- 1165 [~~(43)~~] (44) Section 53H-4-307.2, Center for Civic Excellence -- Duties -- Authority, is
- 1166 repealed July 1, 2030.
- 1167 [~~(44)~~] (45) Section 53H-4-307.3, Center for Civic Excellence -- Leadership, is repealed July
- 1168 1, 2030.
- 1169 [~~(45)~~] (46) Section 53H-4-307.4, Center for Civic Excellence -- Faculty, is repealed July 1,
- 1170 2030.
- 1171 [~~(46)~~] (47) Section 53H-4-307.5, Center for Civic Excellence -- Curriculum, is repealed July
- 1172 1, 2030.
- 1173 [~~(47)~~] (48) Section 53H-4-307.6, Center for Civic Excellence -- Oversight -- Reporting, is
- 1174 repealed July 1, 2030.
- 1175 [~~(48)~~] (49) Section 53H-4-313, Food Security Council, is repealed July 1, 2027.
- 1176 [~~(49)~~] (50) Section 53H-8-305, Five-year performance goals, is repealed July 1, 2027.
- 1177 [~~(50)~~] (51) Title 53H, Chapter 10, Part 4, Education Savings Incentive Program, is repealed
- 1178 July 1, 2028.
- 1179 Section 23. Section **63N-16-104** is amended to read:
- 1180 **63N-16-104 (Effective 07/01/26). Creation and duties of advisory committee.**
- 1181 (1) There is created the General Regulatory Sandbox Program Advisory Committee.
- 1182 (2) The advisory committee shall have 9 members as follows:
- 1183 (a) four members appointed by the director who represent business interests and are

- 1184 selected from a variety of industry clusters;
- 1185 (b) three members appointed by the director who represent state agencies that regulate
1186 businesses;
- 1187 (c) the director of the Office of Artificial Intelligence Policy created under Section
1188 13-72-201;
- 1189 [~~(e)~~] (d) one member of the Senate, appointed by the president of the Senate; and
1190 [~~(d)~~] (e) one member of the House of Representatives, appointed by the speaker of the
1191 House of Representatives.
- 1192 (3)(a) Subject to Subsection (3)(b), members of the advisory committee who are not
1193 legislators shall be appointed to a four-year term.
- 1194 (b) Notwithstanding the requirements of Subsection (3)(a), the director may adjust the
1195 length of terms of appointments and reappointments to the advisory committee so
1196 that approximately half of the advisory committee is appointed every two years.
- 1197 (4) Notwithstanding the requirements in Subsection (2), the director may temporarily
1198 appoint up to three additional members to the advisory committee who represent
1199 business interests, industry, or regulatory or compliance interests to which an application
1200 for participation in the regulatory sandbox relates.
- 1201 (5)(a) When considering applications related to education technology under Title 53E,
1202 Chapter 11, Artificial Intelligence in Education, the council shall include at least one
1203 ad-hoc member with expertise in K-12 education, classroom instruction, or
1204 educational administration.
- 1205 (b) Ad-hoc members appointed under Subsection (5)(a) may participate in council
1206 deliberations and recommendations regarding education technology applications.
- 1207 [~~(5)~~] (6) A majority of the advisory committee constitutes a quorum for the purpose of
1208 conducting advisory committee business, and the action of the majority of a quorum
1209 constitutes the action of the advisory committee.
- 1210 [~~(6)~~] (7) The advisory committee shall:
- 1211 (a) advise and make recommendations to the regulatory relief office as described in this
1212 chapter;
- 1213 (b) designate the laws and regulations of an industry for potential study by the regulatory
1214 relief office as described in Section 63N-16-105; and
- 1215 (c) annually select a chair of the advisory committee.
- 1216 [~~(7)~~] (8) The regulatory relief office shall provide administrative staff support for the
1217 advisory committee.

1218 [~~(8)~~] (9)(a) A member may not receive compensation or benefits for the member's
1219 service, but a member appointed under Subsection (2)(a) may receive per diem and
1220 travel expenses in accordance with:

- 1221 (i) Sections 63A-3-106 and 63A-3-107; and
- 1222 (ii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
1223 63A-3-107.
- 1224 (b) Compensation and expenses of a member who is a legislator are governed by Section
1225 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.
1226 Section 24. **Effective Date.**

1227 This bill takes effect on July 1, 2026.