

Date of Hearing: April 8, 2026

ASSEMBLY COMMITTEE ON EDUCATION
Darshana R. Patel, Chair
AB 2148 (Muratsuchi) – As Amended March 19, 2026

SUBJECT: Local educational agency employees: public postsecondary education employees: artificial intelligence, automated decision systems, and educational technology: discipline

SUMMARY: Defines an “employee” or “person” as a natural person. Prohibits a local education agency (LEA) or institute of higher education from requiring educators to use educational technology; requiring educators to direct students to use educational technology; or using information generated by artificial intelligence (AI) or automated decision system (ADS) to discipline or dismiss educators. Specifically, **this bill:**

- 1) Specifies that an “employee” or “person” means a natural person.
- 2) Defines the following:
 - a) Artificial intelligence: an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer, from the input it receives, how to generate outputs that can influence physical or virtual environments.
 - b) Automated decision system (ADS): any computational process derived from machine learning, statistical modeling, data analytics, or artificial intelligence that issues simplified output, including a score, classification, or recommendation, that is used to assist or replace human discretionary decision making and materially impacts natural persons. ADS does not include a spam email filter, firewall, antivirus software, identity and access management tools, calculator, database, dataset, or other compilation of data.
 - c) ADS output: any information, data, assumptions, predictions, scoring, recommendations, decisions, or conclusions generated by an ADS.
 - d) Educational technology: educational software in the form of downloadable or web-based applications, or other digital formats, that is used to manage information, instruction, attendance, pupil grades and assessment data, notifications, or communication with parents.
 - e) Educator: a certificated or classified employee of an LEA; or, an academic or classified employee of the University of California (UC), the California State University (CSU), the Board of Governors of the California Community Colleges (CCC), or a community college district.
 - f) Employer: the UC, the CSU, the Board of Governors of the CCC, or a community college district.
- 3) Prohibits an LEA or employer from retaliating against an educator for refusing to use any form of educational technology, including through dismissal, suspension, reassignment, transfer, or other forms of retaliation.

- 4) Prohibits an LEA or employer from retaliating against an educator for refusing to direct students to use any form of educational technology, including through dismissal, suspension, reassignment, transfer, or other forms of retaliation.
- 5) Prohibits an LEA or employer from using any form of educational technology in the workplace unless the following conditions are met:
 - a) Educators are able to quickly and easily turn off, pause, or otherwise refuse to use the technology; and
 - b) The LEA, employer, and educator are not charged anything of value for turning off, pausing, or otherwise refusing to use the technology.
- 6) Prohibits an LEA or employer from dismissing, suspending, disciplining, reassigning, transferring, or otherwise retaliating against educators based on information that is transmitted, acquired, collected, or produced via AI or ADS output.

EXISTING LAW:

- 1) Defines AI as an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer, from the input it receives, how to generate outputs that can influence physical or virtual environments. (Education Code (EC) 33328.5)
- 2) Requires the State Superintendent of Public Instruction (SPI) to convene a work group, comprised of multiple stakeholders, including current LEA credentialed school teachers serving in elementary and secondary schools and classified public school staff, which shall do all of the following:
 - a) Assess the current state of AI use in LEAs;
 - b) Conduct at least three public meetings to incorporate public feedback on the current use of AI in LEAs;
 - c) Develop guidance for LEAs on the use of AI, including, but not limited to, guidance on software procurement;
 - d) On or before July 1, 2026, develop a model policy for LEAs regarding the safe and effective use of AI in LEAs that benefit educators and students. Guidance shall include, but not be limited to, procurement guidance, risk mitigation for educators, and professional development strategies for educators on the use of AI; and
 - e) On or before January 1, 2027, submit a report to the Legislature detailing their findings. Both the final report and model policy shall be posted on the California Department of Education (CDE) website. (EC 33328.5)
- 3) Requires the State Board of Education (SBE) Instructional Quality Commission (IQC) to consider incorporating AI literacy into the mathematics, science, and history-social science curriculum frameworks, and instructional materials, when those are next revised after January 1, 2025. (EC 33548)

- 4) Requires that a community college instructor and the specified staff be a person. (EC 87359.2)
- 5) Requires each school district governing board to provide for substantial teacher involvement in the selection of instructional materials used for instruction, including technology-based materials, and to promote the involvement of parents and other members of the community in the selection of instructional materials. (EC 60002)
- 6) Defines “technology-based materials” to mean basic or supplemental instructional materials that are designed for use by pupils and teachers as learning resources and that require the availability of electronic equipment in order to be used as a learning resource. Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audiotapes, lesson plans, and databases. Technology-based materials also include the electronic equipment required to make use of those materials used by pupils and teachers as a learning resource, including, but not limited to, laptop computers and devices that provide internet access. (EC 60010)

FISCAL EFFECT: This bill has been keyed as a possible state-mandated local program by the Office of Legislative Counsel.

COMMENTS:

Need for the bill. According to the author, “As AI and automated decision systems become more common in schools, we must ensure that educators are not forced to use or be evaluated by technology that undermines their professional judgment or puts their jobs at risk. AB 2148 protects educators’ autonomy and ensures technology serves educators rather than replacing or penalizing them.”

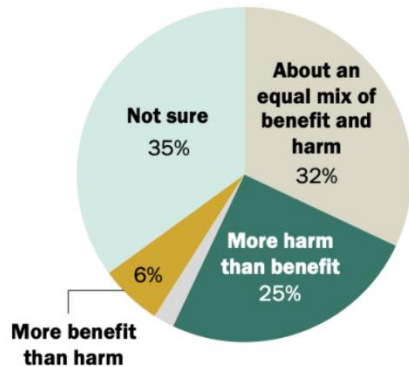
What does this bill do? This bill seeks to establish that all employees of a school should be natural, human persons. It would also afford educators in elementary, secondary, and higher education settings the ability to freely turn off, refuse to use, and refuse to direct students to use, any form of educational technology, without facing any form of discipline or retaliation from their employer. Finally, it would prohibit an employer from disciplining an employee in elementary, secondary, or higher education settings based on information that was in any way produced, managed, or transmitted using AI or ADS (an older form of AI).

It is the intent of the Legislature that this bill clarify that all interactions students have with school personnel, including but not limited to teachers, educators, short-term employees, principals, administrators, counselors, school nurses, school psychologists, school social workers, certificated employees, classified employees, contractors filling these roles, and other school personnel, while at school or otherwise participating in compulsory education, be with natural persons and not AI.

Impact of the increased use of AI in schools is still emerging. A report by the RAND policy institute shows that AI use in schools expanded by at least 15% in the last two years (Doss et al., 2025). In 2025, over 54% of students and 53% of educators reported using AI specifically for school.

Many teachers are uncertain about the use of AI tools in K-12 education

% of public K-12 teachers saying there is generally _____ when it comes to the use of artificial intelligence tools, such as ChatGPT, in K-12 education



Source: Pew Research Center, 2024

Educator opinions on this increased use of AI technology are mixed, according to a study by the Pew Research Center. Thirty two percent of respondents said AI presents an equal mix of benefit and harm, and 35% were unsure of the impact (Lin, 2024). However, opinions generally tipped more negative than positive: 25% of educators said AI does more harm than benefit, while only 6% said AI does more benefit than harm.

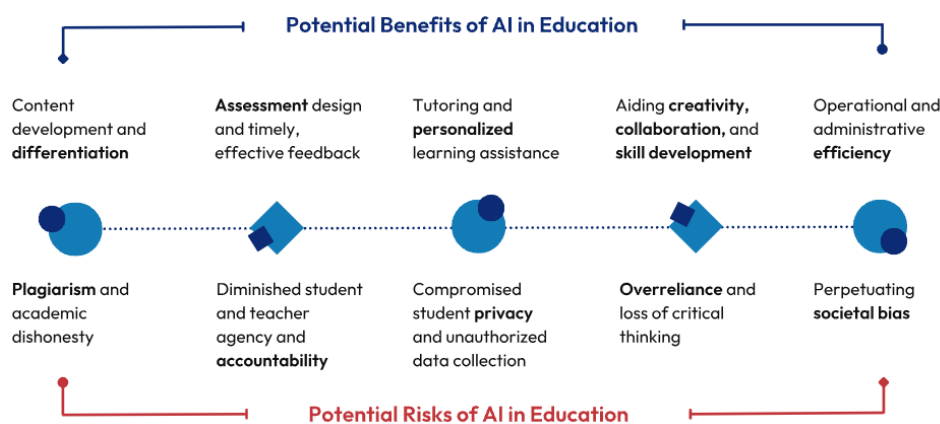
The evidence base for AI use in k12 education is also still emerging. A study by the Stanford SCALE Initiative reviewed over 800 papers relevant to AI in k12 education, and found only 20 papers produced strong causal evidence in any direction (Fesler et al., 2026). This suggests a current lack of rigorous data around the impact of AI in the classroom.

Benefits and risks associated with AI in education. AI presents both risks and benefits for California schools. Benefits may include new curriculum, instruction, assessment, and administrative tools for educators, as well as new opportunities for individualized support for students. Risks are largely associated with the use or misuse of imperfect technology within inequitable contexts, which may compromise privacy, perpetuate bias, facilitate plagiarism, lead to poor quality instruction, exacerbate inequities, and threaten educator agency and stability.

What will AI mean for the education workforce? AI presents both benefits and risks to the education workforce.

AI may help improve teachers’ practice by completing repetitive tasks like grading, lesson planning, scheduling, and routine paperwork, freeing up their time for direct instruction. Analysis by McKinsey and Company suggests that AI could help teachers reallocate 20% to 40% of their time to activities that support student learning.

Research also indicates that teachers are concerned about the impact of AI on their profession



Source: AI Guidance for Schools Toolkit

(McGehee, 2023). Some fear that in the drive to personalize instruction and optimize for efficiency, teachers, their pedagogical skill, and their human connection with students will be devalued. Some educators fear that

ultimately, their jobs will be replaced entirely with AI.

Existing guidance recommends centering students and educators in AI policies. In 2025 the CDE released guidance on the use of AI in schools. This guidance includes “human-centered AI” as a key principle, emphasizing the need to prioritize student wellbeing, and makes the following recommendations:

- AI as an Enhancer, Not a Substitute: AI should enhance, not replace, the educator’s role. Thoughtfully integrated AI can reduce administrative burden and automate routine tasks, freeing educators to focus on the deeply human aspects of teaching: fostering emotional connection, guiding ethical reflection, and supporting personalized learning.
- Supporting Student Wellbeing: AI can process information efficiently, but it cannot empathize, care, or make nuanced ethical judgments. Preserving human empathy and judgment is especially important as AI tools such as chatbots and digital coaches enter schools. These technologies should be carefully vetted for emotional safety, privacy, and ethical use to protect student well-being and uphold parents’ rights to access and review student records.
- Cognitive and Developmental Considerations: As AI becomes more embedded in children’s lives, it is vital to understand how it influences brain development and social interaction. Neuroscience shows that authentic problem-solving and human connection form core neural pathways. While AI may strengthen pattern recognition and adaptability, unbalanced use may limit sustained attention, emotional regulation, and interpersonal communication.
- Risks of Human-Replacement AI: It is vital that educational systems mitigate risks of human-replacement AI. Practices that could undermine educational quality include, but are not limited to, AI that simulates emotional support without human oversight, AI-generated feedback that lacks educator review, overreliance on AI tools in a way that diminishes autonomy/skills/trust, implementation of AI tools that outpaces policy, increasing risks such as lack of equity, inadequate data privacy protection, and misuse.
- Designing flexible, human-centered systems: Educational systems must evolve alongside AI, maintaining flexibility, equity, and human-centered design. Vetting, adoption, and implementation of AI tools should be a community-wide, inclusive activity that ensures innovative supports all learners—particularly those in underserved communities. AI tools should serve to close educational gaps rather than exacerbate them. Ethical frameworks guiding AI use should reflect diverse perspectives and lived experiences.

At the classroom level, educators remain the cornerstone of learning. AI should amplify their impact while local educational agencies ensure transparency, structured feedback, and inclusive participation in adoption decisions.

With educator and student voices at the center, the aim is to ensure AI adoption strengthens learning environments, accelerates achievement, and prepares all learners to thrive in an evolving world.

The importance of human-centered AI policies has also been confirmed at the national level. In 2023, the US Department of Education Office of Educational Technology released a report detailing AI recommendations. The report listed four foundations to building ethical AI policies; Foundation 1 is to “Center People,” which they specified includes parents, educators, and students.

Similar goals were stated in the United Nations Educational, Cultural, and Scientific Organization (UNESCO) report, *Teachers Cannot be Coded*:

With AI reshaping education, UNESCO calls for teachers to be at the centre of this change. The future of education begins with teachers. Teachers bring education to life. They build human connections that no device can replicate. They help learners to cultivate skills that no machine can teach such as critical thinking, ethical reasoning, emotional intelligence, and a sense of social belonging.

With this guidance in mind, *the Committee may wish to consider amending the bill to* strengthen the role of human educators in public education, as well as other school roles such as administrators, principals, counselors, nurses, etc.

The CDE is expected to release guidance and model policies for AI use in classrooms in July 2026. SB 1288 (Becker), Chapter 893, Statutes of 2023-24, requires the CDE to convene a working group on the use of AI in California public education. The working group is required to include multiple stakeholders, including current credentialed and classified public school staff, school administrators, university and community college faculty, private sector representatives, and students.

On or before July 1, 2026, the working group is required to release guidance for LEAs on the following:

- a) Academic integrity and plagiarism;
- b) Acceptable and unacceptable uses of AI for students and educators;
- c) Student and educator data privacy and data security;
- d) Parent and guardian access to information that students enter into AI systems; and
- e) Procurement of software that ensures the safety and privacy of students and educators, and the protection of their data.

On or before July 1, 2026, the working group is required to develop a model policy for LEAs and charter schools regarding the safe and effective use of AI in ways that benefit, and do not negatively impact, students and educators. This policy is required to include the following:

- a) Academic integrity and plagiarism;
- b) Acceptable and unacceptable uses of AI for students and educators;
- c) Student and educator data privacy and data security;

- d) Parent and guardian access to student information;
- e) Procurement of software that ensures the safety and privacy of students and educators and their data;
- f) Effective use of AI to support, and avoid risk to, teaching and learning;
- g) Effective practices to support, and avoid risk to, educators and students;
- h) Strategies to ensure that AI does not exacerbate existing inequities in the education system;
and
- i) Professional development strategies for educators on the use of AI.

On or before July 1, 2027, the working group is required to release a report the Legislature detailing all of their findings and final recommendations.

As of March 2026, the working group has completed three public meetings, as required by the bill, and appears on track to meet the upcoming deadlines.

As the working group includes input from stakeholders affected by this bill, and is scheduled to release statewide guidance on topics addressed in the bill, ***the Committee may wish to consider amending the bill*** to avoid creating policies that predate, and may conflict with, forthcoming statewide guidance.

Implications of a technology kill-switch. This bill prohibits the use of any educational technology (defined as educational software in the form of downloadable or web-based applications, or other digital formats, that is used to manage information, instruction, attendance, pupil grades and assessment data, notifications, or communication with parents) in public schools unless that technology can be easily and freely turned off by educators. Further, it requires educators be able to exercise this ability without facing any form of retaliation from their employer.

Practically speaking, all technology that includes an on/off switch or an electrical wire can be easily and freely turned off.

However, the ability to selectively turn off undesired elements of technology while continuing to operate desired elements – for example, disabling AI chatbots while continuing to use web browsers – is a more nuanced request that may be more difficult to achieve. Many software contain AI or ADS functionalities that users access without realizing (for example, many spellcheckers now use AI). While the ability to selectively turn these features off may be technically possible, the Legislature will need to be specific in what they require manufacturers to do. If the intent is to selectively turn off all AI-based elements on school campuses, does this include all AI functions, or just generative AI? Does this apply to all forms of technology, or just ones that are student-facing? Should educators be able to turn off technology for an entire class, or for specific students? What professional development trainings do educators need to be able to use this power effectively?

There are also equity aspects to consider. If some educators turn off technology and others use it, are all students receiving access to the same quality of instruction? If educators are able to selectively turn technology off for certain students, what guardrails exist to ensure this ability is used equitably? How could this ability affect special education students, who may require access to educational technology as part of their individualized education plans?

It is also important to consider how removing educational technology could impact curriculum. If an educator can selectively and without ramifications turn off educational technology, is it still possible for all students to receive standards-aligned instruction? This is especially relevant given the emerging interest in providing students with education in media literacy and digital citizenship, which will likely require the use of technology.

Finally, there are safety considerations to address. Some school safety technology, such as cameras, videos, and alert systems, are developed specifically for schools and could be considered educational technology under the current definition. Allowing school employees to turn off safety technology without recourse could have serious implications.

Given these questions, *the Committee may wish to consider amending the bill* to remove the provisions that stipulate all educational technology can be turned off by educators.

Arguments in support. According to the California Federation of Teachers, “In recent years, the once far-fetched concept of certificated and classified workers being fully replaced by education technology has become not just possible but a disturbing reality faced by every education worker. Not only does this technology exist, it has been deployed and is in use and has replaced every single teacher at two private schools, called Alpha Schools, in California. Reported evidence of what students at these two schools experience is deeply concerning and demands immediate legislative action to ensure that this model never reaches public schools...

In recent years, this technology has been deployed in every corner of our education system, usually with no input from or assent by education workers. Students and parents are even less involved in the deployment process and often denied any meaningful opportunity to address technical or other more substantive problems with the software. Sometimes test questions—and proposed answers—include AI hallucination gibberish; sometimes homework is totally inaccessible. And neither student nor teacher enjoys any clear right to refuse to use such problematic technology ...

While AI is a fascinating and often useful technology, it does now and always will fall far short of what a trained and experienced teacher can do. By definition, it will never be able to adequately replace the trust created by the human connection between teacher and pupil, and that trust is the foundation of lasting educational success. Removing that from the process causes a variety of harms to both student and educator that simply cannot be risked.”

Arguments in opposition. According to the Small Schools Association, “Education technology is no longer an optional supplement to classroom instruction – it is an essential component of how California schools operate. Student information systems, grading platforms, attendance tools, and learning management systems are the infrastructure through which teachers communicate with families, document student progress, submit grades, access curriculum, and comply with state and federal reporting requirements. Preventing school agencies from requiring staff to use these

systems would not merely inconvenience administrators; it would make basic school functions legally unenforceable.

This bill would also create serious equity concerns. Students in classrooms where teachers opt out of district-required platforms could face disparate access to instructional materials, delayed grade reporting, or gaps in communication between school and home. Students with disabilities, English learners, and other students with specialized needs rely on technology-mediated systems for the delivery of services, accommodations, and progress monitoring.

We also question the breadth of the bill's language. As written, it appears to cover all education technology without distinction — encompassing 'educational software in the form of downloadable or web-based applications, or other digital formats, that is used to manage information, instruction, attendance, pupil grades and assessment data, notifications, or communication with parents.' This definition is overly broad and could capture systems with which educators seldom, if ever, need to interact."

Recommended committee amendments. Staff recommends the bill be amended to:

- 1) Strengthen the requirement that school employees, including educators and other staff, remain human.
- 2) Remove the provisions that require the ability to easily and freely turn educational technology off.
- 3) Remove the provisions that prohibit employers from retaliating against educators for refusing to use educational technology, refusing to direct students to use educational technology, or based on any information that is transmitted, acquired, collected, or produced via AI or ADS output.

Related legislation. AB 1053 (Zbur), of the 2025-26 Session, would have required an LEA governing board or body to provide for substantial teacher involvement in the evaluation and selection of educational technology required for use by all teachers or paraprofessionals of the LEA, and to promote the involvement of parents and other community members in this process. The bill would have also required the SPI to develop best practices and resources to guide LEAs in the evaluation and selection of education technology and post them on the CDE website. This bill was held in the Assembly Appropriations Committee.

AB 903 (Farias and Solache), of the 2025-26 Session, would have required the CDE to establish a School Technology Empowerment Advisory Committee to advise the SPI on best practices to harness the power of technology to support pupil academic success and accelerate pupil academic achievement for LEAs. This bill was held in the Assembly Appropriations Committee.

SB 1288 (Becker), Chapter 893, Statutes of 2023-24, requires the SPI to convene a working group on AI, and requires that working group to develop expanded guidance and a model policy on AI for use by LEAs and charter schools.

AB 2652 (Muratsuchi) of the 2023-24 Session would require the SPI to convene a workgroup related to AI in educational settings to develop guidance and a model policy for local educational agencies on the safe use of AI in education. This bill was held in the Assembly Appropriations Committee.

SB 241 (Cervantes), Chapter 214, Statutes of 2025-26, requires that a community college instructor and the specified staff be a person.

REGISTERED SUPPORT / OPPOSITION:

Support

American Federation of State, County and Municipal Employees,
California School Employees Association
California Federation of Teachers
Kapor Center Advocacy
Teamsters California
40 individuals

Opposition

Alameda County Office of Education
Small School Districts Association

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