

Be it Enacted by the People of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, add part 3 to article 30 of title 22 as follows:

PART 3

COLORADO PERSONALIZED AI-DRIVEN

EDUCATION ACT

22-30-301. Declaration.

(1) Single subject. The provisions of this part 3 are interconnected and pertain to a single subject: authorizing, governing, and funding optional, district- and charter-authorizer-approved AI-powered instructional models within the public school system, including related supports for student progress, well-being, and post-graduation pathways.

(2) The people of the state of Colorado find and declare that:(a) Advances in adaptive learning technology and artificial intelligence can enable personalized instruction that may accelerate student progress when implemented with appropriate safeguards, human oversight, and alignment with Colorado academic standards;

(b) A flexible education model can allow some students to satisfy graduation requirements earlier while preserving age-appropriate opportunities for continued learning, mentorship, life skills development, and career or postsecondary preparation through age eighteen;

(c) AI-powered instructional models can be integrated within existing public school infrastructure to expand access to modern instructional supports, provided they

comply with applicable state and federal law, including state consumer protection requirements concerning algorithmic discrimination when applicable;

(d) This part 3 is intended to create innovation without raising new taxes by allowing participating local education providers to redirect existing per-pupil resources, and by using available state education fund resources for targeted infrastructure gap-closure grants as provided in this part 3; and

(e) Implementation must prioritize student privacy, equity, social-emotional development, accessibility for students with disabilities, and non-discriminatory outcomes, with regular evaluations to ensure effectiveness and address any biases in AI systems.

22-30-302. Definitions.

As used in this part 3, unless the context otherwise requires:

(1) "AI-powered elements" means software-enabled instructional tools that adapt to student performance or deliver individualized practice, feedback, or tutoring, including adaptive learning software, artificial intelligence systems, machine learning algorithms, or related tools, that are approved for instructional use pursuant to section 22-30-303. AI-powered elements must include age-appropriate features that support collaboration, peer interaction, and group simulations to promote social and emotional development. AI-powered elements used in participating sites must be subject to the evaluations, audits, and safeguards required under section

22-30-305 and applicable law.

(2) "AI-powered program" means a course of study, pathway, or program of instruction that:(a) Is authorized by the local board of education of a school district, or by a charter school authorizer for an institute charter school or other charter school as applicable; and

(b) Uses AI-powered elements for delivery of some portion of core academic content within a public school, with licensed teachers maintaining primary instructional responsibility.

(3) "AI-powered school" means a public school that, pursuant to authorization under section 22-30-303, delivers core academic content using AI-powered elements for a substantial portion of instruction, with licensed teachers retaining instructional responsibility and with additional adult support from guides as provided in this part 3. Use of AI-powered elements for core academic content for participating students shall not exceed sixty percent of instructional time as provided in section 22-30-303(8).

(4) "Core academic content" means mathematics, science, reading, writing, and social studies, aligned with the Colorado academic standards adopted pursuant to section 22-7-1005, and may include additional subjects as

determined by local policy.(5) "Continuing education pathway" means a structured learning pathway for a student who has satisfied graduation requirements early, offered between ages sixteen and eighteen, that includes mentorship, life skills

development, career counseling, and social-emotional support, and may include one or more of the following:

- (a) Concurrent enrollment or other early college participation pursuant to article 35 of this title 22;
 - (b) Enrollment in a community college, area technical college, or other postsecondary credential program;
 - (c) Participation in a registered apprenticeship, pre-apprenticeship, or state-approved career and technical education program pursuant to article 83 of this title 22;
- or

(d) Extended advanced learning offered by a public school, a charter school, or a partner entity approved pursuant to section 22-30-303, which may include advanced placement courses, independent study, industry certifications, or work-based learning experiences.

(6) "Guide" means an adult employee of a participating public school or program who:

- (a) Has completed a criminal background check pursuant to section 22-32-109.8 and training requirements established by rule of the department pursuant to section 22-30-308;
- (b) Provides non-instructional student supports, including goal-setting assistance, motivation supports, attendance and pacing supports, emotional recognition, mental health referral protocols, and social-emotional supports;
- (c) Does not deliver core academic curriculum, assign grades, serve as the teacher of record, or replace licensed instructional staff, and is not required to hold a Colorado teacher license; and

(d) Completes guide training that includes, at minimum, social-emotional learning components, youth-appropriate engagement strategies, cultural competency, bias recognition, and protocols for referring students to licensed professionals for mental health or academic needs.

22-30-303. Establishment of AI-powered schools and programs — local control.

(1) Authorization by local education providers. A local board of education may authorize the integration of AI-powered elements into schools of the district, consistent with section 15 of article IX of the state constitution vesting control of instruction in local boards.(2) Charter schools. This part 3 applies to charter schools

as follows:

(a) A district charter school consistent with its charter and district authorization; and

(b) An institute charter school authorized by the state charter school institute pursuant to article 30.5 of this title 22, consistent with institute authorization.

(3) State role limited to rules, standards, and oversight.

The state board of education and the department may adopt rules and minimum standards for:

(a) Guide training, background checks, and student safety requirements;

(b) Vendor and tool compliance with student privacy, security, and anti-discrimination requirements under state and federal law, including, when applicable, part 17 of article 1 of title 6;

(c) Reporting, audits, and evaluations required by this part 3; and

(d) Implementation and equity safeguards, including accommodations for diverse student populations; but nothing in this part 3 authorizes the state board or the department to compel a local board or charter authorizer to adopt an AI-powered school or program.

(3.5) Savings clause — changing AI law. If part 17 of article 1 of title 6 is amended, repealed, enjoined, or preempted, nothing in this part 3 shall be construed to eliminate or reduce:

(a) Any obligation to comply with applicable state or federal privacy, civil rights, disability, or consumer protection law; or

(b) The department's authority to require participating sites to maintain documented risk-management practices, including bias monitoring, accessibility safeguards, and human oversight, consistent with this part 3 and rules adopted pursuant to section 22-30-308.

(4) Existing facilities; implementation model. An AI-powered program or school must operate within existing classrooms and facilities of the participating public school system, including subsequently improved, expanded, or newly constructed facilities where necessary for upgrades, with licensed teachers present during instructional time and with guides providing non-instructional supports. (5) Voluntary participation and informed consent.

Participation in AI-powered elements, programs, or schools is voluntary for families, students, and schools. A

participating school or program must:

(a) Provide a meaningful opt-out option, including a non-punitive alternative learning option for students who do not opt in; and

(b) Obtain informed parental consent for student participation, using forms and notices that meet requirements established by rule.

(6) Mixed classrooms; teacher responsibility. In mixed classrooms with opt-in and opt-out students:

(a) Licensed teachers retain responsibility for instruction, academic progress monitoring, grading, and oversight for all students;

(b) Guides may support only opt-in students with non-instructional facilitation; and

(c) Families may opt in to AI-powered elements on a per-subject or per-course basis, and a local education provider may set reasonable participation procedures by policy,

including periodic review of opt-in status.(7) Infrastructure readiness; gap closure. Prior to authorizing implementation in a participating district or charter school, the department shall conduct or validate device and broadband access audits and may award targeted subsidies from the state education fund pursuant to section 17(4) of article IX of the state constitution to address documented access gaps, subject to available appropriations. Priority shall be given to low-income, rural, or underserved districts.

(8) Instructional-time safeguard. AI-powered elements shall not exceed sixty percent of instructional time for

core academic content for participating students, to ensure sufficient human interaction, teacher-led instruction, and oversight. Local policies may further limit usage based on grade level or subject.

(9) Students with disabilities. For a student with an individualized education program under section 22-20-108 or a plan under section 504 of the federal "Rehabilitation Act of 1973," 29 U.S.C. sec. 794, any use of AI-powered elements must be expressly addressed in the program or plan with appropriate accommodations, supports, and parental input to ensure accessibility and non-discrimination.(10) AI literacy. AI-powered schools and programs must include age-appropriate AI literacy instruction, beginning in elementary grades, addressing data privacy, ethical AI use, digital citizenship, algorithmic bias, and critical thinking about AI outputs, aligned with guidance published by the department. The department may consult nonbinding external frameworks and best practices in developing guidance.

22-30-304. Graduation and continuing education.

(1) Diploma eligibility. A student enrolled in an AI-powered school or program is eligible to receive a high school diploma upon completing applicable state and local graduation requirements, including demonstrations of competencies where permitted by local policy and state law, and alignment with Colorado academic standards. Graduation may occur as early as age sixteen if requirements are met.

(2) Local policy for individualized pathways. A local board of education or charter school governing board may adopt a policy permitting a principal, in consultation with the student, the student's parent or legal guardian, school counselors, and appropriate staff, to approve an individualized graduation pathway for a student participating in an AI-powered program, provided that:

- (a) The pathway remains aligned with Colorado academic standards and does not waive requirements mandated by state law that cannot be waived by local policy;
- (b) The pathway includes safeguards for student maturity and readiness, such as mentorship requirements; and
- (c) Documentation of the pathway is maintained in the student's education records.

(3) Continuing education pathway eligibility. A student who earns a diploma prior to age eighteen and participates in a continuing education pathway remains eligible to receive public education funding support as provided in section 22-30-307, subject to the timing rules in subsection (4) of this section and local approval.

(4) Timing rule (controls). Notwithstanding any other subsection of this part 3, funding support for a continuing education pathway:

- (a) Shall not extend beyond the student's eighteenth birthday; and
- (b) Shall be provided through the end of the semester in which the student graduates, or through the end of the school year if the student remains in an approved "senior-cycle" or extended pathway status established by local policy and rules adopted pursuant to section 22-30-308,

whichever occurs first, with pro-rated funding for partial terms.

(5) Allowable uses. Funding support for a continuing education pathway may be applied toward:

- (a) Tuition and mandatory fees at a Colorado public institution of higher education or area technical college, subject to the institution's policies and state law;
- (b) Tuition, fees, tools, materials, or required certifications for a state-approved career and technical education program, apprenticeship, or credential program;
- (c) Extended advanced learning opportunities offered by an AI-powered school or an approved partner entity; or
- (d) Related supports such as transportation, materials, tutoring, or mentoring costs, as defined by department rule, that are reasonably necessary for pathway participation and completion.

(6) Supplemental aid. If tuition or required program costs exceed the available funding support under this part 3, the student or institution may seek supplemental support from existing state or federal grants for which the student is otherwise eligible, including those under article 3.5 of title 23.

(7) Monitoring. Participating local education providers shall track and report student outcomes in continuing education pathways to the department annually, including completion rates, postsecondary enrollment, credential attainment, and workforce entry.

22-30-305. Accountability and oversight.

(1) AI-powered schools and programs shall align

instruction with Colorado academic standards and administer state assessments as otherwise required by law, including accommodations for participating students.

(2) Norm-referenced growth checks. A participating AI-powered school shall administer, or cause to be administered by a qualified vendor, an independent norm-referenced assessment twice per year for participating students in core subjects, to measure academic growth relative to national norms. The department shall adopt rules establishing acceptable assessments, participation thresholds, accommodations, and reporting requirements. For purposes of this subsection (2), "growth" may include, as specified by rule, proficiency gains, percentile movement, and subgroup growth comparisons.

(3) Department review and corrective action. The department shall review student outcomes, privacy compliance, equity impacts, accessibility safeguards, and algorithmic fairness at least every three years, shall publish an annual report of participating sites including disaggregated data by demographics to the extent permitted by law, and shall recommend corrective actions to the state board. If outcomes for a participating site materially and persistently fall below state averages without adequate justification, the department may require a corrective action plan, technical assistance, or suspension of participation until resolved.

(4) Independent evaluation. Within five years after the effective date of this part 3, the department shall commission and publish an independent evaluation by a

qualified third-party entity selected through a competitive process. The evaluation must assess:

(a) Student achievement, including growth metrics, graduation rates, and postsecondary outcomes;(b) Cost-effectiveness, including per-pupil expenditures

and resource reallocation impacts;

(c) Equity and scalability, including access for underserved populations and rural areas;

(d) Algorithmic bias risks associated with AI-powered elements, including documented bias monitoring and mitigation practices; and

(e) Impacts on teacher workload, student engagement, and implementation fidelity.

(5) Student well-being. Participating sites shall administer an annual student well-being and engagement survey, in a manner and form established by rule and incorporating input from child psychologists or developmental experts, to assess mental health, social-emotional impacts, sense of belonging, and satisfaction with AI elements. The department shall include aggregated results in its annual reporting.

(6) Transparency. All reports, evaluations, and audits under this section shall be publicly posted on the department's website, with student data protected as required by law.22-30-306. Student data privacy.

(1) AI-powered schools, local education providers, and vendors shall comply with applicable state and federal student privacy and security laws, including article 16 of this title 22 and the federal "Family Educational Rights

and Privacy Act of 1974," 20 U.S.C. sec. 1232g.

Compliance with part 17 of article 1 of title 6 is required when applicable.

(2) Student data collected or generated through AI-powered elements may be used only for legitimate educational purposes and shall not be used for commercial gain, advertising, targeted marketing, or non-educational profiling.

(3) Parents must receive clear, annual notice of categories of data collected, the educational purposes for which data is used, vendors involved, retention practices, and rights available under state and federal law, including rights of access and correction where applicable.

(4) Model training restriction. A vendor shall not use student data to train, fine-tune, or improve a general-purpose, commercial, or non-educational model unless a parent or legal guardian provides explicit, informed, opt-in consent as defined by rule, and the consent must be revocable at any time without penalty to the student's education.

(5) The department shall conduct, or cause to be conducted, annual privacy audits of participating sites and vendor compliance, and may require remediation, vendor disqualification from participation, or program suspension for violations.

(6) Enforcement. The attorney general may enforce applicable requirements of this section under state law, and may enforce part 17 of article 1 of title 6 pursuant to section 6-1-1706 when applicable.

22-30-307. Funding.

- (1) For participating students, per-pupil funding calculated under article 54 of this title 22 shall follow the student to the AI-powered school or program within the public school system, consistent with local school board or authorizer approval and applicable law concerning locally raised funds.
- (2) A participating local education provider may redirect existing budgeted resources for AI licenses, device upgrades, professional development for teachers and guides, infrastructure enhancements, and vendor contracts. The department may award priority grants from the state education fund, subject to available appropriations, to support underserved schools and documented infrastructure gaps.
- (3) Continuing education pathway funding mechanism. A student participating in a continuing education pathway pursuant to section 22-30-304 is eligible for funding support only as provided by:
 - (a) Inclusion in existing extended high school funding mechanisms pursuant to article 54 of this title 22, as modified by section 2 of this act; and
 - (b) Rules adopted pursuant to section 22-30-308 to ensure the funding is used for allowable purposes under section 22-30-304(5), does not extend beyond the timing limits in section 22-30-304(4), and includes auditing to prevent misuse.
- (4) Fiscal constraint. Implementation of this part 3 is intended to occur through the redirection of existing

resources and through grants subject to available appropriations. Nothing in this part 3 increases state tax

rates or creates a new statewide tax.

22-30-308. Implementation — rules — pilot.

(1) Rules. Within twelve months after the effective date of this part 3, the department shall adopt rules necessary to implement this part 3, including rules governing:

- (a) Guide training, background checks, student safety safeguards, and performance and supervision standards;
 - (b) Vendor approval processes, minimum contract terms, privacy compliance, and disqualification criteria;
 - (c) Reporting requirements, audit procedures, and data submission formats;
 - (d) Participation, opt-in/opt-out procedures, mixed-classroom safeguards, and parental consent forms;
 - (e) Approved assessments, accommodations, and growth measurement methodologies;
 - (f) Continuing education pathway eligibility, documentation, funding administration, outcome tracking, and allowable-cost standards; and
 - (g) Alignment, when applicable, with part 17 of article 1 of title 6.
- (2) Pilot cohort. During the first four years after the effective date of this part 3, the department may authorize a pilot cohort of no fewer than five and no more than ten public schools or programs that reflect geographic, demographic, and socioeconomic diversity. At least fifty percent of pilot slots must be reserved for sites serving low-income or rural populations. The department may provide technical assistance to pilot sites, subject to

available appropriations.

(3) Expansion after evaluation. Following the independent evaluation required in section 22-30-305(4), the general assembly and state board may expand or modify implementation consistent with state law and the constitution.

(4) Professional development. The department shall develop and offer professional development resources for teachers and administrators on AI integration, ethical use, student safety, privacy compliance, and student support, and may collaborate with educator associations and subject-matter experts, subject to available appropriations.

22-30-309. Severability. If any provision of this part 3 or its application is held invalid, the remaining provisions remain in effect to the greatest extent possible.

22-30-310. Oversight.

The department shall oversee guide training, independent evaluations, privacy audits, grant distribution, and program compliance, and shall report annually to the general assembly and the public. Oversight must include consultation opportunities with child psychologists, developmental experts, educators, parents, and AI ethicists to assess student well-being, development impacts, accessibility, and ethical considerations. The department may establish an advisory committee for this purpose, subject to available appropriations.

SECTION 2. Conforming amendments.

(A) In Colorado Revised Statutes, section 22-32-109, add

(1)(t.5) as follows:22-32-109. Board of education — specific duties — definitions.

(1)(t.5) To authorize, by policy, and to implement AI-powered schools and AI-powered programs pursuant to part 3 of article 30 of this title 22, including the use of guides as defined in section 22-30-302, subject to applicable law and local control of instruction pursuant to section 15 of article IX of the state constitution.

(B) In Colorado Revised Statutes, section 22-54-103, amend (5.2) as follows:

22-54-103. Definitions.

(5.2) "District extended high school pupil enrollment" means the number of pupils, on the pupil enrollment count day within the applicable budget year, who are concurrently enrolled in a postsecondary course, including an academic course or a career and technical education course, as a participant in the ASCENT program or the TREP program and the number of pupils, on the pupil enrollment count day within the applicable budget year, who are enrolled in grade thirteen or fourteen in a p-tech school, and the number of pupils, on the pupil enrollment count day within the applicable budget year, who have received a high school diploma pursuant to section 22-30-304 and are participating in an approved continuing education pathway pursuant to section 22-30-304(5), as determined by rule of the department.

(C) In Colorado Revised Statutes, add section 22-2-147 as follows:

22-2-147. AI-powered education — compliance with

artificial intelligence consumer protection law when applicable.

(1) The department shall ensure that AI-powered elements authorized under part 3 of article 30 of this title comply, when applicable, with part 17 of article 1 of title 6, including any impact assessment, risk-management, disclosure, or other requirements applicable to high-risk artificial intelligence systems as provided by law.

(2) If part 17 of article 1 of title 6 is amended, repealed, enjoined, or preempted, the department shall, to the extent permitted by law, maintain rules under part 3 of article 30 of this title that require participating sites to implement documented safeguards addressing privacy, accessibility, human oversight, and bias monitoring.(3) Nothing in this section shall be construed to authorize the department to compel participation by a local board or charter authorizer.

SECTION 3. Effective date.

This act takes effect upon the proclamation of the governor following the official declaration of the vote, as provided in section 1(4)(a) of article V of the Colorado constitution, but no sooner than June 30, 2026.