BILL: House Bill 1297
TITLE: Education - Artificial Intelligence - Guidelines and Pilot Program
DATE: February 28, 2024
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Ways and Means
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The Maryland Association of Boards of Education (MABE) appreciates the intent of House Bill 1297 to facilitate the optimal uses of artificial intelligence (AI) in public education.

On January 8, 2024, Governor Wes Moore issued an [Artificial Intelligence Executive Order](#) and a set of actions which he described as focusing on "the responsible use of artificial intelligence, user-centered design in digital services, ensuring equal access to all information technology, and protecting Maryland's digital infrastructure through enhanced intergovernmental partnerships." MABE has a long track record of supporting legislative funding and policy initiatives related to digital accessibility and cyber security, both issues addressed in the Governor's announcement. Similarly, the Governor's Executive Order is comprehensive regarding the deployment of AI in state government, including under the oversight of the new AI Subcabinet.

Beyond the scope of the Executive Order, however, MABE is also keenly interested in the emergence of artificial intelligence (AI) in the teaching and learning environments of Maryland's public schools. Therefore, MABE supports the proposal in House Bill 1297 to have the Maryland State Department of Education (MSDE) and the Department of Information Technology (DoIT) develop guidance and technical assistance for local school systems. Specifically, MABE supports the provisions of proposed section 7-2202 to have MSDE lead the work to "develop and update guidelines, standards, and best practices." However, MABE requests an amendment to ensure that this work is done not only in consultation with DoIT but also with local school systems.

The provisions of House Bill 1297 that are most concerning to MABE are under section 7-2203, in which MSDE would be empowered to "adopt policies and procedures regarding the development, procurement implementation, utilization, and ongoing assessment of systems that employ AI by a county board." MABE believes that the scope of this proposed role for MSDE is overly broad and unwarranted in the context of the implementation of AI in the school setting. Similarly, the proposal that DoIT review and approve data privacy related aspects of systems that employ AI is also unprecedented and unworkable.

Again, local boards of education recognize the importance of adopting statewide guidelines and adopting and implementing local policies and procedures informed by this guidance to facilitate the optimal use of artificial intelligence (AI) in the educational setting. All Maryland students, regardless of zip code, deserve to benefit equitably in their educational experiences and in pursuit of pathways to higher education and careers, and artificial intelligence has a role to play in making this possible.

For these reasons, MABE requests a favorable report on House Bill 1297 with amendments to avoid any unintended limitations on school system deployment of information technology systems, educational technology, and the many programs utilized by administrators, staff, students and families, which may, or already do, utilize AI.