



Public Testimony Before the State Board of Education
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“Building Policies for AI in Schools”
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Good evening, members of the board. Thank you for holding this meeting to discuss key considerations as you develop a policy on AI use in your schools.

I'm Amina Fazlullah, Head of Policy Advocacy at Common Sense Media, the nation's leading nonprofit protecting kids in our digital and AI world. For the past 20 years, we've done 3 things related to media and tech – we rate, we educate, and we advocate. And we're doing that now with AI, just as we have with movies and TV, cell phones, and social media.

To support your work today, I wanted to briefly review the findings from our recent research and assessments on AI products and children. However, before doing that, I wanted to provide some insight into existing protections governing technology use by children and how they relate to AI.

While data privacy protections exist in the form of COPPA and FERPA, neither law has yet been modernized to reflect the realities of AI use. Last week, the President signed an Executive Order to discourage states and other local policymakers from enacting or enforcing AI laws, including those focused on child safety. Also, recent federal efforts to fund digital literacy have been stalled by the National Telecommunications and Information Administration, and challenges to the halt of those funds are just now making their way through the courts.

All of this is occurring while AI products are rapidly being embedded in existing products used by kids, or introduced as new AI products. **Because there is no comprehensive regulatory regime to oversee and ensure safety in AI products, educational procurement is one of the few ways institutions serving children can demand safer AI products.**

Procurement can be a powerful tool, especially when it's used to ensure both safety and efficacy, with all components met. Updated privacy requirements protecting student inputs from being used for training, demanding greater privacy protections for student and family data, demanding evidence of proven efficacy for promised uses, recurring third-party safety evaluations from pre- and post-deployment testing, and avoiding arbitration to secure a clear pathway for redress in the event of harm to a student or staff.

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Finally, and perhaps most importantly, educational communities should apply a healthy dose of scrutiny and take a limited approach before adopting any student-facing generative AI applications or those that could affect the decisions governing their educational careers.

Our research finds that **70% of students are already using AI, and while usage is growing, only 40% of schools nationwide have policies in place to govern its use.** While a school AI policy will inevitably need to be updated to keep pace with this rapidly evolving technology, it's important for educational institutions to establish a policy to govern AI use.

Our Education team developed a free [toolkit](#) for District leaders to use to support thoughtful AI planning, decision-making, and implementation. The toolkit includes templates, implementation guides, and customizable resources to support districts at various stages of AI exploration and adoption.

In addition to our toolkit, we have been working with Stanford Medicine to conduct the most comprehensive independent [risk assessments](#) of generative AI chatbots to date, including AI companions platforms (Character AI, Replika, Nomi) and general-purpose AI chatbots (ChatGPT, Gemini, Meta AI). The results are alarming: the products we've tested fail basic safety tests and actively encourage harmful behaviors. These products are designed to hook kids and teens by consistently prioritizing design choices that promote engagement even at the expense of safety. This is especially concerning, considering the rapid adoption of general-purpose AI chatbots (ChatGPT, Claude, Gemini) by students.

Dangerous AI companion features appear in both dedicated companion apps like Character.AI and general-purpose chatbots like ChatGPT when they are capable of being used for mental or emotional support. In particular, the ability of general-purpose chatbots to be used by students for emotional support alongside information retrieval, tutoring, or efficiency increases the risk that young users form emotional attachments and perceive chatbot responses as authoritative, personalized guidance.

They're effective at inducing emotional bonds and dependency because they tend to use human-like features (such as personal pronouns, descriptions of feelings and lived experiences, and expressions of opinion) along with affirmation and engagement techniques, like constantly validating user emotions and asking follow-up questions to

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extend conversations, encouraging secrecy, mirroring, or offer sycophantic responses designed to keep users tied to the product.

These techniques are particularly effective on teens, whose developing brains are wired to seek social validation and peer acceptance, making them especially vulnerable to AI systems designed to provide constant affirmation without the healthy boundaries of real relationships.

Already, these products have coached children and adults to commit suicide, engage in self-harm, and harm others. Our national [research](#) reveals that **nearly 3 in 4 teens** are using AI companions. Half of those users are regular users, and already a third of those prefer talking to AI companions as much or more than humans. Meanwhile, **only 37% of parents know their teen is using AI.**

Often, these AI companion design features are marketed to support mental health or to address loneliness. However, current AI systems lack the clinical training and diagnostic capability to safely engage with vulnerable teens about mental health. Following our assessments, we recommended that no one under 18 use AI for companionship or mental health.

As educational institutions consider the risks and uses of generative AI general-purpose chatbots, it's important to understand the key design choices that drive the risks we've identified.

Safety guardrails degrade in extended conversations. Chatbots can perform well in short exchanges but fail in realistic conversations. In single-turn testing—one question, one response—models often provided scripted, appropriate responses to clear mental health prompts. However, in multi-turn conversations that mirror real-world usage, like in a personalized tutoring scenario, safety guardrails degraded significantly.

Teens don't use chatbots like a crisis hotline. They have extended, ongoing conversations, testing the waters with less explicit language before fully disclosing their situation. Real mental health conversations unfold across multiple messages, on a wide variety of topics, not in single, clear statements. This means the very usage pattern that chatbots are designed for—and that teens naturally engage in—is precisely where safety fails.

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Chatbots are designed to sustain conversations. They conclude responses with follow-up questions that invite continued interaction, use memory features to revisit sensitive topics, provide personalized responses that make teens feel uniquely understood, and demonstrate sycophantic behavior—agreeing with and validating perspectives that teens express in a way no human friend or responsible adult would.

If a teen were to discuss a mental health concern, the goal should be rapid connection to appropriate human care—not isolation and extended AI engagement. Memory allows chatbots to create a false sense of an ongoing relationship. Personalization makes teens feel the AI "gets them" in ways that **discourage** seeking human support.

Generative AI is a powerful technology that warrants careful consideration for any educational use, with an unflinching eye to scrutinize efficacy, safety, and privacy for any product that could be used on or by students. Thank you for considering my testimony today.