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Artificial Intelligence and Education

2nd Working Conference

REGULATING THE USE OF AI SYSTEMS IN EDUCATION

ATTENDEES NOTE

24 – 25 October 2025

Palais de l'Europe Room 1

Directorate General of Democracy and Human Dignity
Directorate for Democracy

Education Department
Digital Transformation Unit

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Dear Esteemed Participants, we are looking forward to welcoming you to the 2nd Working Conference: Regulating the use of AI systems in education**,** which will take place on 24-25 October in Strasbourg. You will find us in the Palais de l'Europe at Avenue de l'Europe, Strasbourg.

Kindly come around 08.30 to ensure you will have the time to get your badge at the accreditation desk and join us at **09.00** in **Room 1.**

Please note that the updated programme and agenda are available on the event page, any further modifications to the agenda will be uploaded and available on the webpage. This guiding document is meant to support you to navigate the programme, provide you with background information, and overall conference logistics.

1 WORKING CONFERENCE

1.1 Overview

The working conference aims to showcase a plurality of perspectives across all stakeholders attending the event. We have developed a variety of engaging, interactive formats that facilitate these perspectives - the Context Keynote sections will feature 4 speakers each sharing a 10-minute keynote presentation that will be part of a particular theme.

Please refer to page 5 – 7 for background reading and information.

1.2 Themes

On Day 1, there will be four Context Keynotes in the morning focusing on "Contextualising AI in Education" and then another set of four Context Keynotes in the afternoon "Identifying AI Regulation Components". On day 2, there will be a final set of Context Keynotes highlighting 'Why Regulation is Needed', followed by a Q&A session.

1.3 Clarifying challenges

The Clarifying Challenges are a key interactive element during each day of the conference - with these collaborative formats to be held both days from 11.00 to 13.00. These ideation sessions will enable attendees to divide into five separate groups in different rooms before returning to the plenary room to share insights from their respective discussion groups. There will be a short Context Keynote presentation in the plenary room that will provide a starting point for the collaborative discussions.

This interactive and collaborative sessions will be introduced to you at the beginning of both days.

Kindly note that you will be asked on Day 1 and Day 2 to choose the session you want to attend, and you will be asked to vote for the following ones:

- Day 1: Clarifying Challenges
- Day 2: Clarifying Challenges
- Day 2: Working Groups

On the next page you will find the detailed descriptions and guiding questions per each session. Please come prepared on Day 1 with your vote intention.

1.4 Perspective statements

There will be a mix of perspectives from students, educators, professors, ministries, higher education institutions, school principals, youth groups and civil society organisations. This session explores lessons learned, best practices, questions and challenges, cultural considerations related to a specific country/sector/education system.

2 GUIDING QUESTIONS

2.1 Day 1: Clarifying Challenges (11.00 – 13.00)

Group 1: Pedagogy

Are the pedagogies embedded in AI systems that are designed for use in education (AIED) effective and respectful of child rights? What impact does the use of AIED systems in classrooms have on pedagogy and teachers' professional judgements?

Group 2: Inclusion

What are the positive and negative implications of AI in Education (AIED)—including tools for classroom settings and administrative processes—for the inclusion of children with protected characteristics (e.g., disabilities, race, gender, socioeconomic status, minority languages, religion or belief, membership of a national minority)?

Group 3: Collaboration

Changes in relationships, agency, authority between institutions, parents, children, educators. Are these changes wanted? Mitigation needed?

Group 4: Prevention

What mechanisms for remedy/redress are needed to remove harms, biases and opacity in automated decisions?

Group 5: Sustainability

The aims of education include the development of respect for the natural environment. Considering the implications of AI for the global climate, labour markets, and resources, and the case Verein KlimaSeniorinnen Schweiz and Others v. Switzerland, how can member states address this responsibility?

2.2 Day 2: Clarifying Challenges (11.00 – 13.00)

Group 1: Ensuring equitable and inclusive quality education while addressing the digital divide

How to ensure that the proposed legal instrument can contribute the measures to reduce the digital divide and promote access to equitable and inclusive quality education?

Group 2: Protecting human rights of children in educational settings

Assuming the incentives for business do not always prioritise children's rights, what would be a suitable measure to evaluate an appropriate "balance" between economic drivers for AI with any duties towards children?

A risk-based approach might assume some level of discrimination as a result of the application of AIED is acceptable. Is this in line with Article 14 and Article 1 of Protocol No. 12 of the Convention that enshrines the right not to be discriminated against?

Group 3: Roles of stakeholders in implementing & operationalising legal instrument

What will be the role of all stakeholders (learners, parents, educators, school leadership, and industry) in ensuring the effective implementation of the proposed legal instrument and how should this be operationalised and over what time period?

How would member states want to participate in monitoring of the instrument to share positive and negative experiences of the emerging outcomes on learners and teaching community to communicate collective learnings from practice?

Group 4: Opportunities & challenges in harmonising approaches to regulating aied across member states

Given the diversity of educational systems across Council of Europe member states, what opportunities and challenges will there be when harmonising the approach to regulate the use of AI systems in education? How soon would member states commit to addressing these challenges and how? How do member states want the Council of Europe to support them to effectively implement the legal instrument, foster collaboration and harmonisation, and monitor its impact on learners, educators, and learning environments?

2.3 Day 2: Working Groups (14.30 – 15.30)

Policy Toolbox Working Group

The Policy Toolbox aims to guide policymakers, educational institutions, and other stakeholders (e.g., trade unions, civil society organisations, parents, and the private sector) in making informed decisions regarding the role of AI in the education sector. This includes teaching and learning with AI, and using AI in administrative systems.

The Toolbox is structured into three domains:

- Governance domain: Defines governance scope and principles, outlines the regulatory landscape, describes stakeholder responsibilities, and suggests tools such as regulatory sandboxes and evaluation metrics for appropriate governance mechanisms.
- Competence domain: Outlines essential competencies required for using and developing AI systems for use in education, including its ethical use, understanding relevant AI technologies, and the impact on human rights and relevant regulations.
- Education domain: Addresses when, why, and how AI should be used in education. It emphasises education's role in fostering social agency, underpinning democracy, and driving social, cultural, and economic change. It outlines participatory models to consider AI's impact on developing social agency in educational contexts.

Methodology

The working group methodology involves a rotating discussion format where participants engage with each domain at separate working tables, facilitated by guiding questions and feedback prompts to encourage active sharing of perspectives. Each table will document and record insights and suggestions, which are then summarised collectively to inform future development and collaboration efforts

Guiding questions:

1. How can the proposed tools in each domain (Governance, Competence, Education) be adapted to better meet the specific needs and challenges of different educational contexts?
2. What potential challenges or barriers do you foresee in implementing the proposed governance mechanisms and competencies, and how could the Toolbox address these?
3. How can the Policy Toolbox facilitate collaboration among stakeholders to ensure AI's role in education aligns with democratic values, social agency, and cultural change?

AI literacy | Higher education and recognition of qualifications perspective

The objective of this working group is to help advance AI literacy, by identifying the key areas that require strategic focus and exploring the necessary actions to address these challenges with a focus on higher education.

The expected output of the session is a set of recommendations that can contribute to shaping future initiatives and policies on AI literacy, aligned with the ongoing work of the Council of Europe in AI, in Education and in Ethics, Trasparency and Integrity.

Methodology

The session will begin with a brief introduction, providing an overview of AI literacy from a conceptual and practical point of view. This will be followed by two sessions of discussions, supported by the use of Mentimeter, to gather participants' insights on critical areas and potential actions for AI literacy for education and higher education actors and stakeholders. AI tools will then be utilised to cluster responses, grouping the identified key areas and actions.

Guiding questions:

1. Which aspects of AI literacy require the most critical or strategic attention? (each participant is invited to contribute to the discussion from the specific perspective/role, e.g., educator, policymaker, stakeholder, government representative, etc.)
2. What actions could help overcome the identified critical issues in AI literacy in Higher Education? How can these actions be aligned with the ongoing work of the Council of Europe?

European Reference Framework for the Evaluation of Educational Technologies Working Group

The adoption of EdTech in schools and learning environments has increased over the past decade, highlighted by recent PISA results which emphasise the importance of providing quality educational materials and digital resources for all schools. However, the impact of education technology (EdTech) remains unclear.

Since 2022, there has been a significant increase in AI tools developed for educational settings (AIED). Despite the introduction and promotion of these technologies, there is little independent evidence at scale for their effectiveness or safety, there is not even agreement for what counts as robust evidence of AIED, and no specific regulations to protect the human rights and well-being of children and teachers interacting with AIED.

Widespread use of AIED requires specific review frameworks beyond existing quality assurance criteria for general EdTech use. International alignment across stakeholder requirements could increase trust and empower evidence-based decisions while ensuring safe practices. Key areas to explore include legal and regulatory compliance, data privacy, security, bias, fairness, pedagogical alignment and effectiveness, and the impact on classroom ecosystems and relationships. Safe integration with existing educational technologies, ethical considerations, and transparent AI processes are also essential.

A comprehensive framework and/or evaluation/accreditation system should involve diverse stakeholder engagement, including teachers, parents, students, and educational experts, to ensure a balanced approach that promotes innovation responsibly.

Guiding questions:

1. How could a Council of Europe evaluation or accreditation system integrate with local and national evaluation or certification practices?
2. What are the key areas of evaluation that should be common across all member states?

AI Literacy | Critical thinking

Across the world, many are suggesting that students and their teachers need to be supported to become AI literate. However, many disagree what this means exactly, what its aim is, and what it should comprise. In this session, we will be exploring what AI literacy means (to address the human and technological dimensions of AI) and how it might be best achieved.

Guiding Questions:

1. How does AI literacy fit with other existing work on digital literacies etc.
2. In what ways should AI literacy support critical thinking?
3. What should the human dimension of AI literacy comprise?

3 BACKGROUND INFORMATION

The Standing Conference of Ministers of Education of the Council of Europe a resolution[1] on harnessing the potential of Artificial Intelligence in and through education at its 26th session on 29 September 2023. The resolution underlines the importance of ensuring that the use of artificial intelligence systems and data analytics in educational settings protects human rights, supports democracy and promotes the rule of law, and highlights the potential added value and contribution of a sectoral instrument setting out for education the principles and commitments for the implementation of the (then draft) Framework Convention.[2]

In this context, Ministers of Education welcomed the proposal to develop a legal instrument to regulate the use of AI systems in education for the promotion and protection of human rights, democracy and the rule of law, applying the provisions of the Framework Convention to the education sector. They also welcomed the proposal to develop a Recommendation of the Committee of Ministers to ensure that teaching and learning about AI takes into account the impact of AI on human rights, democracy and the rule of law and prioritises the active participation and agency of teachers and learners.

These are reflected in the Education Strategy 2024 – 2030[3] under the third pillar "Advancing education through a human rights-based digital transformation" and included in the Programme and Budget 2024 – 2027.[4]

Current AI policies and legislation, including the Framework Convention and the EU AI Act, emphasise risk management, transparency and ethical considerations, but often overlook the unique needs of education and children. Furthermore, they do not adequately address the specific needs of children or the education sector and the critical formative role of education in human development.

Following the Standing Conference of Ministers of Education, and in line with the request of the Committee of Ministers, the Council of Europe commissioned a preparatory study to set out the case for the legal instrument proposed in the above-mentioned Resolution. The preparatory study for the development of a legal instrument to regulate the use of Artificial Intelligence in education[5] - presented at the 5th Plenary Session of the Steering Committee for Education (CDEDU) on 22 March 2024 - highlights the increasing use of Artificial Intelligence (AI) technologies in education systems and their potential to influence educational practices. AI systems in education range from adaptive tutoring systems and plagiarism detection to e-proctoring and chatbots. While these systems and their possibilitiesfor teaching and learning are actively debated, they can also pose risks, such as automatingpoor pedagogical practices, disempowering teachers and learners, and undermining humanrights.

The preparatory study also highlights several key areas where regulation is needed to safeguard human rights and ensure the ethical use of AI in educational settings. A comprehensive and nuanced regulatory framework that specifically addresses the use of AI systems in education will ensure that AI systems enhance learning without causing harm, protect the rights and interests of learners and educators, and promote equal access to

1 Resolution on harnessing the potential of Artificial Intelligence in and through education.
2 www.coe.int/en/web/artificial-intelligence/the-framework-convention-on-artificial-intelligence.
3 Council of Europe Education Strategy 2030 "Learners first – Education for today's and tomorrow's democratic societies" https://rm.coe.int/programme-and-budget-2024-2027/1680aee0c3.
4 https://rm.coe.int/preparatory-study-for-the-development-of-a-legal-instrument-on-regulat/1680af118c.

educational opportunities. Such a framework will also prevent negative impacts, such as the potential to perpetuate bias, compromise student privacy, and prioritise easily measurable competencies over holistic educational goals such as critical thinking, creativity, and social-emotional development.

3.1 Working Conference

As part of the Education Department's efforts in exploring the regulatory dimensions of AI in Education (AIED) within the framework of the AI&ED project, the Education Department of the Council of Europe is organising the 2nd Working Conference on Regulating the use of AI systems in education which will take place on **24 – 25 October 2024** at the Council of Europe Headquarters in Strasbourg.

The aim of the working conference is to engage diverse stakeholders from across Europe in exploring regulatory dimensions, gathering informed feedback and expert input, and producing actionable recommendations for the development of a proposed legal instrument that ensures the ethical, equitable, and effective use of AI systems in educational systems. Please refer to the concept note for further information on the expected outcomes and conference outputs.

The development of the proposed legal instrument concerns primarily policy makers and legal experts from all member states and their active involvement and contribution in the development process is crucial. To support an interactive and meaningful discussions at the working conference, it will be important to understand cultural differences in approaches towards regulation to help formulate the discussions appropriately.

In this regard, the Council of Europe organised three **Pre-conference online sessions** open only to government experts. The Pre-conference sessions served to inform the Government experts about the Council of Europe's work on AI and Education, and to better understand member states' approaches to integration of AI in education as well as regulating the use of AI in education.

3.2 Elements from the Pre-Conference online sessions

- Need for regulation was recognised and acknowledged
- More awareness of existing regulations, such as the EU AI Act
- Mapping of education areas where AI has an impact
- A review system would be extremely useful for educators and educational community
- Policy toolbox: Strong support but need to integrate AI literacy

3.3 Legal Instrument for Regulating the Use of AI Systems in Education

In 2019, the Committee of Ministers of the Council of Europe recommended exploring the implications of Artificial Intelligence (AI) and other emerging technologies for education. This led to the launch of the intergovernmental project on Artificial Intelligence and Education (AI&ED) in 2020.

The Education Department commissioned a report titled "Artificial Intelligence and Education: A Critical View through the Lens of Human Rights, Democracy and the Rule of Law" in 2022, identifying potential challenges and stimulating further debate among stakeholders. In parallel with the report, a survey of Council of Europe member states was conducted to better understand national initiatives related to AI and education.

The survey "State of Artificial Intelligence and education across Europe" found that most of the responding member states have established or are in the process of establishing general policies and strategies for the use of AI. However, AI and education is not addressed as a special or distinct case, and there is an absence of specific policies.

3.4 Context

The regulatory landscape for AI is still evolving, with over 300 policy initiatives in more than 60 countries around the world. Notable frameworks include the Council of Europe Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law, and the EU AI Act. These frameworks emphasise risk management, transparency, and ethical considerations but do not address the unique needs of children and education.

The preparatory study for a legal instrument on the use of AI systems in education, presented in 2024, highlights the increasing use of AI technologies in educational settings and their potential to influence educational practices. However, AI in education also poses risks such as automating poor pedagogical practices, disempowering teachers and learners, and undermining human rights.

Guiding questions:

1. What are the key components and/or dimensions of a suitable regulatory instrumentfor the use of AI systems in education?
2. What are the key areas of benefit derived from the use of AI systems in education thatregulation must not undermine, and how might this be achieved?
3. What are the key areas of risk emerging from the use of AI systems in education thatrequire regulatory safeguarding, and how might this be achieved?