

ARTIFICIAL INTELLIGENCE AND EDUCATION

Regulating the use
of AI systems in education



2nd WORKING CONFERENCE

24-25 October 2024

Council of Europe Headquarters
Strasbourg

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Chapter 1

Executive summary

The Education Department of the Council of Europe organised a two-day working conference on regulating the use of artificial intelligence (AI) systems in education on 24 and 25 October 2024. The aims of the conference were to:

- ▶ explore the regulatory dimensions of AI in education (AIED);
- ▶ identify key legal and pedagogical considerations for AIED;
- ▶ develop actionable recommendations for the development of responsible and equitable regulation of AIED;
- ▶ gather feedback on the [draft policy toolbox for teaching and learning with and about artificial intelligence](#) and on the feasibility study for the development of a [European reference framework for the assessment/evaluation of educational technologies](#).

The conference took place in Strasbourg, with approximately 130 participants attending in person. The participants included government experts nominated by Council of Europe member states, representatives of international organisations, professional associations, children's rights experts, civil society organisations, private-sector companies active in the field, student representatives, educators and academics working in the field of artificial intelligence and education (see appendix for the programme).

As a basis, the 1st Working Conference, held on 19 and 20 October 2022, entitled "[Artificial intelligence and education: a critical view through the lens of human rights, democracy and the rule of law](#)", explored the integration of AI in education and presented a [report](#) alongside [survey findings on the state of AI and education across Europe](#). Building on this foundation, the 2nd Working Conference focused on defining actionable pathways for regulating AI in education, ensuring alignment with human rights, democracy and the rule of law. The conference was highly interactive, featuring context keynotes, perspective statements and group discussions. The context keynotes explored foundational themes such as the role of AI in education, its impact on children and educational settings and the importance of regulation. The perspective statements focused on the benefits and challenges of AI in education, safeguarding users, defining key elements of a legal framework and ensuring effective implementation and support mechanisms. Across the two-day programme, stakeholders engaged in group discussions on various thematic areas, fostering collaboration and making the conference dynamic and meaningful. Participants also provided valuable feedback on supporting mechanisms and ongoing initiatives, such as developing a policy toolbox for teaching and learning with and about AI, and a European reference framework to assess education technologies, including AI systems.

Sessions on Day 1 addressed future proofing of education, harnessing the benefits of AI while mitigating its risks and identifying regulatory components specific to the educational sector. Day 2 delved into defining the legal framework for AI in education, discussing its core elements and examining support mechanisms, such as practical tools and resources, policy guidelines and initiatives, founding principles and standards as per the overall initiatives that encompass AI in education.

Overall, the conference generated significant outcomes, including proposed recommendations for the building blocks of a legal instrument to ensure the ethical, equitable and effective use of AI in educational settings. Stakeholders unanimously agreed that regulation is essential to address governance gaps, safeguard children's rights and align AI deployment with the fundamental values of human rights, democracy and the rule of law. The Council of Europe will continue collaborating with governments and AIED experts to develop a conceptual framework for regulating the use of AI in education.

1.1. Conference highlights

At the start of the conference, speakers highlighted the rapid development of artificial intelligence and its increasing integration into education, which has brought both opportunities and challenges to the forefront. The rise of tools like ChatGPT underscored the urgency for regulation amid growing interest in AI technologies. Over the past two years, the Council of Europe has mobilised a dedicated group of experts to address the complexities of AI in education, laying the groundwork for a robust regulatory framework. Speakers emphasised the significant shifts in AI policies and the importance of balancing its transformative potential with its associated risks. A balanced approach is essential to harness the benefits of AI while addressing its challenges, ensuring its use in education aligns with the democratic values, human rights and the rule of law that underpin the mission of the Council of Europe.

On Day 1, the first part of the conference focused on contextualising AI in education, where experts discussed findings from the [“Preparatory study for the development of a legal instrument on regulating the use of artificial intelligence systems in education”](#). The study identified the unique challenges posed by AI in education, noting the rapid increase in adoption. Despite over a decade of use, there is still a lack of large-scale, independent evidence on the effectiveness, safety and broader impacts of AI, particularly regarding mental health and classroom dynamics. Existing policies were found to be insufficient in protecting stakeholders, highlighting the urgency of tailored regulations to address these gaps. Following this, discussions turned to the roles of teachers, learners and all stakeholders. The irreplaceable role of teachers in fostering empathy, enthusiasm and critical thinking was emphasised, contrasting with the limitations of AI in forming personal connections. Concerns were raised about the potential over-reliance on AI for routine tasks, which could undermine critical thinking and problem-solving skills. Ethical concerns included the risks of students forming emotional attachments to AI chatbots and the propagation of misconceptions through these tools.

The third part of the conference introduced an interactive session, where participants were divided into five groups to explore AI systems in education. The groups focused on pedagogy, inclusion, collaboration, prevention and sustainability in education. Discussions highlighted the potential of AI to enhance teaching methods, personalise learning experiences and address educational disparities. However, participants stressed the need for oversight to prevent biases, safeguard children’s rights and ensure equitable access to AI tools. Concerns were raised regarding power imbalances created by private companies, along with the environmental costs associated with AI development and deployment.

The fourth part of the conference focused on safeguarding users of AI in education, featuring a plurality of perspectives. A key contribution came from the students’ perspective, highlighting the inconsistent AI approaches experienced across Europe, not just between institutions but even within them. This inconsistency reflects the absence of cohesive regulations or training. Subscription-based AI models and paid features further exacerbate inequalities, limiting equitable access to educational resources. Additionally, the lack of adequate training for educators presents significant challenges, as many teachers lack the foundational knowledge to adapt AI tools for diverse student needs, including those with disabilities. Resistance to AI integration was also discussed, with an example from Serbia illustrating resistance among both educators and parents. Teachers expressed scepticism about tools like ChatGPT, perceiving them as inappropriate or unfairly used by students. In this session, all speakers emphasised the importance of specialised training, equal opportunities and data protection in building trust in AI systems.

The final session of the first day focused on identifying appropriate components of regulation of AI in education. Five speakers provided diverse perspectives on regulating and integrating AI in education, emphasising the need for AI-specific regulations to safeguard privacy and uphold democratic values. This was particularly pertinent given the rapid commercialisation of AI in education and its anticipated market growth. The potential of AI to promote equitable access to higher education and facilitate the recognition of academic qualifications, especially for marginalised groups, was acknowledged. However, concerns were raised regarding the educational value of AI applications, the environmental costs of their implementation and the risks of opting out, which could disadvantage young people in educational opportunities. An example from a member state highlighted that decisions regulating AI in primary and secondary education are often made at the local level, granting significant autonomy to municipalities and teachers. While overarching regulations are provided through the education act and national curriculum, specific tools or teaching methods are not advised.

The second day featured an important session entitled “Why is AI regulation needed?” focusing on the necessity of tailored frameworks for AI in education. Existing legal instruments, including the [Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law](#), the Modernised Convention for the Protection of Individuals with regard to the Processing of Personal Data, the

European Union Artificial Intelligence Act (EU AI Act) and the General Data Protection Regulation (GDPR) were analysed and the case for specific regulation of AI in education made. While these frameworks uphold shared values such as human-centric, trustworthy and transparent AI, they lack provisions tailored to the unique requirements of the educational sector, particularly regarding children's rights. Speakers emphasised that the widespread use of AI in education exposes students to risks such as biased decision making, over-reliance on AI systems and gaps in safeguarding confidentiality, data accuracy and protection against data loss. Current applications, including adaptive tutoring, plagiarism detection and admissions management, highlight the limitations of existing frameworks in addressing these specific challenges. Given the cross-border nature of AI technologies, a collaborative, international approach was deemed essential to develop robust regulations. The Council of Europe was recognised as a suitable body to co-ordinate this effort, ensuring that the framework prioritises children's rights, equity and the integrity of educational practices.

The next part of the conference involved participants dividing into groups for an interactive session on elements of a legal instrument and clarifying challenges. Before the workshops, participants were introduced to the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, a treaty designed to address AI complexities within the framework of human rights, democracy and the rule of law. The adviser emphasised the challenge of crafting a global treaty that fosters innovation while safeguarding fundamental rights. In the workshops, participants explored key themes for shaping a legal instrument to regulate AI in education. Discussions focused on bridging the digital divide to ensure equitable and inclusive education, with particular attention to marginalised communities and individuals with disabilities. The importance of safeguarding children's rights, including privacy, accountability and data protection, was a central theme. The role of stakeholders – learners, educators, parents and industry – was discussed, highlighting the need for collaboration, phased implementation and accountability. Harmonising regulatory approaches across the diverse educational systems of Council of Europe member states was seen as both a challenge and an opportunity, requiring a balance between shared values and local needs. The session reinforced the importance of inclusivity, human rights and effective governance in guiding the development of AI in education.

The final session of the conference addressed the need for support mechanisms and effective implementation of a legal instrument which aims to regulate AI in education. As part of the support mechanisms, preliminary work on the policy toolbox on teaching and learning with and about AI was presented. Designed to guide stakeholders in the responsible use of AI in education, the toolbox aims to foster trust, promote sustainable innovation and uphold the values of human rights, democracy and the rule of law. It is structured into three main domains.

1. Governance: focuses on the regulatory landscape, stakeholder responsibilities and guiding principles for AI use. It includes tools such as a policy and regulatory framework navigator to assist in navigating complex systems.
2. Competences: addresses the knowledge, skills and values needed for effective AI use, offering tools to support educators, learners and public-sector professionals.
3. Education: tackles key questions on why, when and how AI should be used, providing tools like an assessment readiness tool and resources for future-oriented AI planning.

By integrating critical reflection with actionable tools, the policy toolbox ensures stakeholders across all levels can responsibly engage with AI in education.

For effective implementation, participants discussed practical steps and support mechanisms, emphasising collaboration, phased approaches and capacity building to enable responsible AI integration in education. Reference was made to the [26th session of the Council of Europe Standing Conference of Ministers of Education](#), which endorsed developing a Committee of Ministers recommendation on incorporating the impact of AI on human rights, democracy and the rule of law into teaching, referred to as "AI literacy". Additionally, the need to develop a common [European reference framework for the evaluation of educational technologies](#) was presented and later discussed through the breakout groups.

Participants underscored the need for robust support mechanisms and a strategic, collaborative approach to implementing legal frameworks that govern AI in education, emphasising the importance of tools such as the policy toolbox and the European evaluation framework to ensure that AI integration upholds human rights, democracy and the rule of law while fostering innovation and trust in educational contexts.

1.2. Recommendations

Main recommendations/conclusions that were collected from the discussions can be summarised as follows.

- ▶ Responsibility: ensure human accountability in all AIED processes, as AI systems are developed, designed, implemented and used by individuals who must take responsibility for their actions and the outcomes of their activities.
- ▶ Evidence-based research: prioritise collecting and analysing large-scale data to understand the effects of AIED and AI literacy implementations on education systems and learners.
- ▶ Holistic approach: regulation of AI use in education must go hand in hand with education about AI (AI literacy) to ensure a comprehensive understanding and ethical application of AI tools.
- ▶ The role of policy makers: encourage representatives from Council of Europe member states and public authorities to actively present concrete ideas, proposals and action plans for implementing AIED and AI literacy initiatives in their respective contexts.
- ▶ Urgent need for regulation: develop a sector-specific legal instrument to regulate AI in education, addressing challenges such as data privacy, biases and the protection of children's rights. This regulation must align with the Council of Europe's framework convention on artificial intelligence and uphold its values of human rights, democracy and the rule of law.
- ▶ Protection of children's rights: prioritise the safety and well-being of children by ensuring AI systems are free from biases, protect against surveillance and promote equitable educational opportunities without discrimination.
- ▶ International co-operation: strengthen collaboration among Council of Europe member states to harmonise AI regulations in education, enabling the sharing of knowledge, expertise and best practices for responsible AI integration.

Chapter 2

Welcome – Keynote – Review – 2024 conference outcomes

2.1. Welcome remarks

Ahmet-Murat Kılıç

Ahmet-Murat Kılıç, Head of the Digital Transformation Unit, presented the Digital Transformation Unit's work and programme regarding the Digital Citizenship Education (DCE) portfolio and the Artificial Intelligence and Education project initiated in 2020. As part of this project, the Council of Europe commissioned the report *Artificial intelligence and education: a critical view through the lens of human rights, democracy and the rule of law*, launched in 2022. The report examines the connections between AI and education within the framework of the Council of Europe's mandate to uphold human rights, strengthen democracy and advance the rule of law. It highlights key challenges associated with AI in education and provides a preliminary needs assessment designed to inspire and guide critical discussions among learners, educators, AI researchers, commercial developers, policy makers and other stakeholders. The [1st Working Conference on AI and education](#) in 2022, held just before the rise of ChatGPT, highlighted the need for regulation as interest in AI surged. The speaker encouraged attendees to actively share insights, stressing the conference's collaborative nature.

2.2. Keynote – Council of Europe's mission in education

Villano Qiriazzi

Villano Qiriazzi, Head of the Education Department, opened the conference by welcoming participants and expressing gratitude for their active engagement. The speaker commended the Council of Europe's dedicated group of experts, established two years ago, for their invaluable contributions to advancing the regulation of AI in education. In addition, the Head of the Education Department highlighted the Council of Europe's role in addressing AI in education. The [Council of Europe Education Strategy 2024-2030 "Learners first – Education for today's and tomorrow's democratic societies"](#) aligns with its broader pillars of human rights, democracy and rule of law, focusing on fostering democratic competencies, addressing diversity and advancing human rights-based digital transformation. The recently adopted [Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law](#) complements the EU AI Act, but at the same time recognises education as a special case requiring tailored regulatory frameworks to safeguard children's rights, ensure equitable access and promote participatory governance. Looking forward, the Council of Europe aims to draft a legal instrument to regulate the use of AI systems in education.

2.3. What has been done so far?

Beth Havinga

Beth Havinga, Managing Director of Connect EdTech, explained the preparatory work undertaken for the conference, including pre-conference workshops related to AI and education, which focused on safeguarding democracy and human rights. She noted significant shifts in AI policies across Europe and the need to address both benefits and challenges. Key points included cross-sector collaboration, professional development for educators and curricular integration of AI education. The speaker concluded by underlining the importance of a balanced regulatory approach, possibly through primary and secondary regulations, continuous evaluation mechanisms and adherence to principles of transparency, accessibility and ethical use, ensuring AI serves the developmental and educational needs of all stakeholders.

2.4. Conference outcomes

Michelle DuQuette

Michelle DuQuette, Community Strategist at European EdTech Alliance, welcomed participants and emphasised the importance of their active engagement. She outlined the event's objectives, which build upon the report from the 1st Working Conference held in 2022, and aim to explore regulatory dimensions, ethical considerations and actionable recommendations for AI in education. The event was designed with three guiding principles: continued engagement, knowledge exchange, and collaboration and ideation. Key formats included context keynotes, perspective statements and expert sessions, complemented by small group discussions known as clarifying challenges. These interactive formats aimed to foster dialogue among stakeholders, facilitate the exchange of diverse perspectives and generate insights that would inform actionable recommendations. The organisers implemented innovative tools like Miro boards. The speaker concluded by stressing the collaborative nature of the event, highlighting the importance of integrating stakeholder perspectives into future engagements, including the next conference scheduled for October 2025.

Chapter 3

Contextualising AI in education

3.1. Presentation

3.1.1. Overview of the “Preparatory study for the development of a legal instrument on regulating the use of AI systems in education”

Wayne Holmes

Wayne Holmes, Professor at University College London, presented the “[Preparatory study for the development of a legal instrument on regulating the use of AI systems in education](#)”, outlining the unique challenges of AI in education. The study notes that AI systems have been present in education for over a decade, with their use expanding rapidly following the emergence of generative AI tools like ChatGPT. However, despite widespread adoption, there is a significant lack of large-scale, independent evidence on the effectiveness, safety and broader effects of AI in educational contexts, including its effects on mental health and classroom dynamics. Children and education are highlighted as special cases. While existing frameworks address general human rights, they often fail to consider the unique developmental needs and additional rights of children. Similarly, education is rarely explicitly addressed in AI policies, leaving critical aspects such as pedagogical integrity and the empowerment of teachers largely unexamined. As he noted, the study concludes that existing policies do not adequately protect stakeholders in the education sector, reinforcing the urgent need for a legal instrument tailored to regulate AI systems in education. This need forms the basis for ongoing discussions.

3.2. Context keynotes

3.2.1. Supporting schools with a national AI strategy, AI guidelines and AI pilot studies in Luxembourg

Daniela Hau

The Head of Innovation of the Ministry of Education, Children and Youth of Luxembourg, Daniela Hau, shared her vision for AI education, centred on ethics, pedagogy before technology and data literacy integration. The speaker mentioned that the ministry prioritises embedding AI literacy early in the curriculum to enhance – rather than replace – learning experiences, focusing on pedagogy over technology. Initiatives include integrating AI into national curricula through transversal and subject-specific approaches, such as the introduction of digital sciences in secondary education and a media literacy framework for teachers. She also reflected on key paradoxes, such as balancing rapid innovation with the slow-moving nature of educational systems, ensuring efficiency without overwhelming teachers, bridging the digital divide and maintaining linguistic and cultural diversity in AI tools. Despite significant progress, the speaker acknowledged challenges and open questions, urging continued reflection and international co-operation to ensure that AI benefits all learners equitably.

3.2.2. The use of artificial intelligence in the daily work of elementary school teachers: advantages and concerns

Helena Valečić

Helena Valečić, teacher and EU Project Manager, shared practical classroom insights on the use of AI, noting both opportunities and risks. As an experienced biology and natural science teacher from Croatia with more than 30 years of experience in the classroom, she highlighted the importance of teacher empathy and

personal connection, contrasting it with the limitations of AI. Ms Valečić also warned about over-reliance on AI for routine tasks, stressing that it could hinder critical thinking and problem-solving skills as well as numerous ethical considerations regarding AI chatbots, particularly the risk of students forming emotional attachments to emotionless systems. The speaker also raised concerns about the reliability of AI in generating content, notably in scientific topics, and its potential for spreading misconceptions. Finally, the speaker stressed the irreplaceable role of teachers in providing emotional connection and enthusiasm and in fostering critical thinking.

3.2.3. The impact of AI in education – An education trade union perspective

Martina Di Ridolfo

Representing the European Trade Union Committee for Education (ETUCE), Martina Di Ridolfo stressed that education's unique role as a public good and human right necessitates thoughtful and careful AI regulation. The speaker pointed to the surge in ChatGPT usage as a pivotal moment for AI awareness in education, advocating for policies that respect teachers' and students' rights while addressing their unique needs. In addition, she emphasised the importance of maintaining human control over AI tools, involving stakeholders in their design and implementation and ensuring transparency and inclusivity. At the same time, she also warned against delegating high-stakes decisions – such as hiring or student evaluations – to AI systems, highlighting the ethical risks involved. Additionally, the speaker underscored the importance of a needs-based approach, where AI is adopted only to address clear educational challenges and called for systemic training and adequate funding to support effective and ethical AI integration. The speaker highlighted the need to preserve equity and inclusion, address environmental effects and align AI implementation with sustainability goals. Overall, her remarks reinforced the necessity of balancing technological innovation with the preservation of education's human-centred values.

3.2.4. Presenting a vision paper on responsible AI in Flemish education

Katrien Alen

Katrien Alen, Knowledge Centre for Quality Digital Education, Flemish Department of Education and Training of Belgium, emphasised the diversity of AI applications beyond generative AI like ChatGPT, highlighting the need to consider the broader spectrum of AI tools and their potential benefits for education. The vision paper she presented outlines a framework for the responsible use of AI to support learners, educators, educational organisations and education technology (EdTech) developers ensuring that it enhances rather than overshadows core educational values. The framework includes foundational principles such as prioritising learners' social, emotional and pedagogical development, fostering trustworthiness and transparency in AI applications and aligning AI use with shared educational values. Continuous evaluation and adaptation of AI tools were also identified as crucial to ensure they meet initial expectations and remain relevant over time. The vision paper advocates for building an AI-ready support network that includes collaboration between schools, governments and EdTech providers. She further underlined the critical role of professional development, noting that educators must feel confident and well-equipped to integrate AI into their teaching practices responsibly. These insights, translated into guidelines and an actionable plan, aim to ensure that AI supports equitable, ethical and effective education systems.

Chapter 4

AI systems in education – Discussing benefits and clarifying challenges

4.1. Context keynote

4.1.1. Beyond “generic” AI issues – Impact on children and education settings

Jen Persson

Jen Persson, Director of Defend Digital Me, highlighted the unique challenges of AI use in educational settings, focusing on children’s rights and data protection. The speaker discussed issues like pedagogy, student agency and teacher empowerment, emphasising the importance of fairness, accountability and transparency. The speaker noted the complex dynamics between children, parents and schools, particularly around consent and privacy under the GDPR, and stressed that children’s understanding of AI use must be prioritised to foster trust and democratic values in education. Participants were encouraged to consider the broader societal implications of AI in education, such as its potential to uphold or undermine democratic values. Questions were raised about the compatibility of AI tools with children’s rights, equitable access and professional autonomy for educators. The session concluded with a call to prioritise children’s rights within AI frameworks, ensuring these rights are not only acknowledged but also operationalised in practical and effective ways within education systems.

4.2. Clarifying challenges: group discussions

Participants were asked to split into groups for the breakout sessions, dedicated to the following themes: pedagogy, inclusion, collaboration and prevention. Participants were tasked to identify challenges, obstacles or definitions related to these areas. Each group was asked to identify main relevant sub-themes and share key insights to be integrated into a collective summary for further work on actionable recommendations. Dedicated Miro rapporteurs facilitated and supported the documentation process.

4.2.1. Group 1 – Pedagogy

Moderators

- ▶ **Lidija Kralj**, Education Analyst, EduConLK
- ▶ **Christian M. Stracke**, Coordinator for Cloud Strategy and AI&ED Research | University of Bonn

The Workshop Group 1 on pedagogy discussed the key question: “What methods and infrastructure are needed for best pedagogical impact using AI in the classroom?” The workshop followed the method of clarifying challenges that had been introduced in the plenary. According to the method, participants were divided into eight small groups due to the huge number attending the workshop. They were asked to answer the key question following the steps of the method and present their answers at the end in the plenary.

These answers were documented in the Miro board online and can be grouped into the following aspects and topics:

- ▶ stakeholders: teachers;
- ▶ children and learners;
- ▶ other stakeholders;
- ▶ educational aspects: pedagogy; methods; methodology; guidelines; curriculum; evidence;
- ▶ formal aspects: access; infrastructure; security; schools; state level; sustainability.

4.2.2. Group 2 – Inclusion

Moderators

- ▶ **Ron Salaj**, Researcher, University of Turin
- ▶ **Marjana Prifti Skenduli**, Artificial Intelligence/Machine Learning Researcher and Assistant Professor, University of New York Tirana | Founder of AI-Albania

The Workshop Group 2 on inclusion discussed the key question: “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 (for example disabilities, race, gender, socio-economic status, minority languages, religion or belief, membership of a national minority)?”

The breakout sessions revealed a variety of challenges regarding the impact of AI on educational inclusion, highlighting both positive and negative implications. Participants identified access disparity as a fundamental concern, noting that socio-economic factors and existing digital divides could exacerbate educational inequalities. The discussions emphasised how AI systems, while offering potential benefits through personalised and adaptive learning for diverse learners including children with disabilities, simultaneously raise concerns about algorithmic biases, data privacy and/or transparency. A critical theme emerged regarding the power imbalances created by private companies controlling/training AI models, potentially undermining educational equity. Participants stressed the importance of considering the whole educational ecosystem rather than focusing solely on learner interactions, pointing to teachers’ workload and agency as crucial factors. Discussions also raised specific concerns about minority languages and cultural representation in AI systems. Gender aspects were specifically highlighted, particularly the need to support women and girls entering technical fields. The groups concluded that successful implementation of AI in education requires careful consideration of accountability and oversight mechanisms, comprehensive research and strategies to bridge the gap between technological capabilities and pedagogical needs while ensuring inclusive practices for all learners regardless of their background or characteristics.

4.2.3. Group 3 – Collaboration

Moderators

- ▶ **Ilkka Tuomi**, Chief Scientist, Meaning Processing Ltd
- ▶ **Xenia Ziouvelou**, Associate Researcher, National Centre for Scientific Research “Demokritos”, Head of AI Politeia Lab

The Workshop Group 3 on collaboration discussed the key question: “Changes in relationships, agency, authority between institutions, parents, children and educators. Are these changes wanted? Mitigation needed?”

Significant shifts and changes in the power dynamics can be observed in the relationships between the different stakeholder segments with the advent of AI in education, as discussed during this working group. These changes include shifts in the agency, roles and authority of different stakeholders, as well as in their perceptions, needs and requirements regarding AI technologies in an educational context. The changes and evolving dynamics present both opportunities and challenges. By embracing the positive aspects of AI in education, addressing concerns and embracing a shared responsibility that safeguards human rights, democracy and the rule of law, we can create a student-centred, more inclusive and effective educational ecosystem.

4.2.4. Group 4 – Prevention

Moderators

- ▶ **Barbara Wasson**, Professor and Director of the Centre for the Science of Learning and Technology, University of Bergen
- ▶ **Wayne Holmes**, Professor, University College London, Institute of Education, Knowledge Lab

The Workshop Group 4 on prevention discussed the key question: “What mechanisms for remedy/redress are needed to remove harms, biases and opacity in automated decisions?”

The integration of artificial intelligence in various sectors has brought about significant advancements and challenges. The participants were split into three groups. This session addressed considerations and challenges associated with AI implementation, with a focus on accountability, data diversity, privacy and biases. The three groups explored different issues. Group 1 identified that successful implementation of AI systems

requires careful consideration of accountability, data diversity, privacy and bias. By addressing these challenges, AI technologies that are reliable, accurate and aligned with the needs of all stakeholders can be developed.

The opportunities and challenges associated with the integration of AI tools in education was the focus of the discussions in Group 2. The integration of AI in education requires careful consideration of various factors, including cognitive development, human rights and the distribution of responsibility. Ensuring that AI tools are used in the best interests of children is paramount, and stakeholders must work together to address the challenges and opportunities presented by these technologies. For Group 3 the challenges of AI data ownership and human rights prove to be complex and multifaceted. While complete removal of harm may not be possible, ongoing efforts to enhance transparency, ethical practices and accreditation can help mitigate risks and promote responsible AI development.

4.2.5. Group 5 – Sustainability

Moderators

- ▶ **Jen Persson**, Director, Digital Defend Me
- ▶ **Veronica Stefan**, Founder of Digital Citizens Romania

The Workshop Group 5 on sustainability discussed the key question: “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?”

The premise of the workshop was based on the following ideas: AI has an impact on the environment and climate; the enthusiasm behind the adoption of AI also leads to increased consumption of resources such as energy power and water; other resources used for the production of hardware; research already shows that compared to a regular search engine, an enquiry through an AI-powered chat consumes 10 times more energy; in the pursuit of accessing more resources, companies already look for more power sources, including nuclear energy. From a legal perspective we know that as national AI strategies emerge very few of them reference the environmental impact or monitor such situations, while in the education sector there is even less awareness of this.

However, society cannot ignore either its impact or its implications on children and young people – responsibility for future generations. Other policy/legal instruments already acknowledge this connection – from the [Council of Europe’s Youth Sector Strategy 2030](#) to the [United Nations Convention on the Rights of the Child](#), Article 29.

To address this, the group discussed the role of different stakeholders. The role of the education sector was identified around the following main elements.

- ▶ Invest in the competences of educators and students/young people.
- ▶ Raise awareness on the impact of AI on the environment and climate, since currently there is no understanding of this issue. At the same time, to raise awareness of the different speeds of adopting technologies/AI, as some are still struggling to convince educators to use such technologies.
- ▶ Keep a balance between the beneficial uses of AI and their negative impact, with a particular focus on promoting the mindful use of AI.
- ▶ Ensure co-operation between both formal and non-formal sectors, by involving a wide range of educators and young people, not just those in schools.
- ▶ Empower students and young people to participate and shape the public agenda around the ethical use of AI, as rights holders in our society.
- ▶ Look into existing frameworks and curricula and work to update them, including the Council of Europe’s [Reference Framework of Competences for Democratic Culture](#), which is in the process of revision. Overall, there is a need to prioritise education about the environment and climate within the national curricula, in addition to digital/AI competences. Currently, this priority is insufficiently addressed.
- ▶ Support management of educational institutions, for example in setting procurement rules that consider the impact of AI on the environment before purchasing new technologies.
- ▶ Role of the private sector: looking both at companies who create AI technologies (software side) and at those who create the hardware, including those who are part of the entire production cycle (from mining to producing parts).
- ▶ There is a need for more accountability and transparency and a need to have clear responsibilities and duties defined in connection to the impact of AI.

- ▶ Offer more transparency, by clearly identifying this information for the tools/services they create.
- ▶ Take responsibility for their actions and give back to the communities that might be negatively affected by their products, but also take responsibility and ensure that in the case of hardware technologies there are clear recycling procedures.
- ▶ Future legal instrument(s) should include clear standards or guidance for technology providers not only on what is required from their side (in terms of transparency and accountability), but also on what criteria should be taken into account in the production stages. They should also offer guidance on procuring AI technologies, particularly within educational contexts.

In general, the group acknowledged that:

- ▶ environmental rights are human rights, and the rights of children and young people, in particular, need to be taken into account;
- ▶ there is a need to ensure there is more awareness of the impact of AI, before jumping into (hard) regulations;
- ▶ we can also learn from existing digital regulations and find relevant connections – the GDPR already has provisions for data minimisation. Collecting and processing just data that is really essential can lead to using less computing power;
- ▶ worldwide the resources used to power AI systems are disproportionality used. In this context, new technology regulations should not be relevant only for Europe but also globally.

Chapter 5

Safeguarding users of AI in education – A plurality of perspectives

This session included seven speakers, each offering unique insights into the regulation and integration of artificial intelligence in education.

5.1. Presentation

5.1.1. Unique cases of children and education – Key areas for regulation of AI in education and related challenges

Christian M. Stracke

Christian Stracke, Coordinator for Cloud Strategy and AI&ED Research, University of Bonn, opened the session with a keynote, highlighting the Council of Europe's expert group's work. The speaker outlined the group's active engagement over the past year, including the development of a preparatory study that serves as the foundation for ongoing AI regulatory efforts. The study identifies key areas specific to children and education, such as human rights, child protection, consent, procurement, accountability and academic integrity, all emphasising the need to safeguard learners, educators and institutions from potential AI-related harms. The speaker stressed the importance of maintaining human oversight in AI systems, advocating for clear accountability in AI development, provision and use. Highlighting risks like surveillance, profiling and automated decision making, he called to protect spaces for independent thought and to ensure decisions are made by humans, not by AI. The speaker also underlined the need for large-scale, long-term evidence to evaluate the effects of AI, advocating for educators' rights to decide on AI use and the critical necessity of fostering AI literacy among teachers and learners as well as public authorities and policy makers. The presentation concluded with three critical demands: sustaining human-to-human accountability in AI interactions, advancing AI regulation to clarify (in particular for teachers, learners and leaders of schools and universities) what is allowed and what is forbidden and addressing ethical questions related to democracy and human rights in education.

5.2. Perspective statements

Tanja Reinlein

Tanja Reinlein, Head of the Department of Vocational Education, Teaching and Learning in the Digital World, Prevention and Integration, International Affairs at the Ministry of Schools and Education of the State of North Rhine-Westphalia, presented insights into Germany's approach to AI in education. The rapid developments following the launch of ChatGPT were highlighted, including the creation of national guidelines and the adoption of a recommendation by all German education ministers to address the impact of AI on education equitably. The recommendation prioritises equal opportunities for learners and data protection and fosters trust in AI use while balancing innovation with caution. The importance of AI supporting and not replacing human interaction in education was emphasised. Teachers, as central change agents, play a crucial role in integrating technology meaningfully while maintaining the teacher-student relationship. Additionally, the [KIMADU pilot project](#) was described, which explores how AI can personalise learning paths in subjects like maths and German while preserving human oversight and focusing on fundamental skills. The conclusion stressed the need for regulation tailored to education's ethical and legal challenges to ensure responsible AI use.

Adam Liwak

Adam Liwak, Officer at Malta Further and Higher Education Authority, outlined Malta's approach to AI in education, focusing on the responsible implementation of AI while ensuring its benefits for personalised learning and operational efficiency. Fairness was also highlighted, with institutions tasked with monitoring AI systems regularly to ensure equity, thereby avoiding unintended biases. The importance of collaboration between policy makers, educators and AI developers was stressed to ensure ethical AI usage. The Strategy and Vision for Artificial Intelligence in Malta 2030 was presented as a framework that enhances education while addressing data protection, fairness and ethical challenges.

Nick Nicholas

Nick Nicholas presented Australia's AI strategy in education, starting with the establishment of AI ethics principles in 2019 and progressing to recent initiatives addressing generative AI and cybersecurity. The Safe Technologies for Schools programme was highlighted as a national framework evaluating education technology (EdTech), particularly its cybersecurity, privacy and child safety dimensions. However, gaps in evaluating the educational impact of AI tools were noted, with recommendations for broader evaluations beyond AI-specific products. A phased and iterative approach to raising standards in AI implementation was proposed, ensuring that progress aligns with national AI safety standards. Emphasis was placed on human rights, explainability and fairness, with ongoing feasibility studies aimed at understanding AI's educational impact. Collaboration between state and federal governments was underlined as critical for consistent policy application.

Lauren Pray

Lauren Pray, representing the European Students' Union, shared insights into students' experiences with AI in higher education, underscoring significant challenges and inequalities. The European Students' Union, which represents 44 national student unions across 40 countries, released a policy document addressing the need for AI regulations in education. Students across Europe face inconsistent AI approaches, not only between institutions but also within them, highlighting the absence of cohesive regulations or training. She called attention to disparities exacerbated by AI, such as unequal access to advanced AI tools, particularly between urban and rural areas. Subscription-based AI models and paid features further entrench these inequalities, restricting equitable access to educational resources. A lack of adequate training for educators compounds these challenges, as teachers often lack the foundational knowledge needed to adapt AI for diverse student needs, including those with disabilities. The speaker also emphasised the importance of transparency, advocating for AI systems that are easily understandable by students and educators, rather than functioning as opaque "black boxes". In conclusion, she urged clear regulations, robust training and accessible tools related to AI in education.

Isidora Petković

Isidora Petković, representing the Youth Initiative for Human Rights from Serbia, shared personal experiences and challenges related to AI use in education and society. Reflecting on the generational and cultural divides in Serbia, she highlighted the resistance to AI integration in schools, both from educators and parents. Teachers often react negatively to AI tools like ChatGPT, perceiving them as inappropriate or unfairly used by students. This reflects a broader scepticism and lack of understanding about the potential benefits of AI in education. The speaker also discussed the lack of robust legal frameworks in Serbia to address AI-related harms, such as the misuse of AI-generated images for exploitation. This gap in protection underscores the need for urgent regulatory and educational reforms to safeguard individuals, particularly young people, from potential AI abuses.

Jola Kepi

Lastly, Jola Kepi, representing Albania's Center for School Leadership, discussed the organisation's efforts to incorporate AI in education to enhance equity, inclusion and high-quality education. She outlined initiatives prioritising personalised training, efficient resource management and tailored career guidance through AI-driven systems. These efforts aim to align technological integration with core educational values, ensuring ethical and inclusive practices. Additionally, the centre, in partnership with donors, plans to introduce an AI system that guides students towards suitable educational pathways based on their aptitudes. The speaker emphasised the importance of balancing innovation with ethical regulation to preserve the integrity of educational practices. The centre's approach includes monitoring tools to assess pilot projects and adapting strategies to address challenges like potential bias or inequality in AI systems. The overarching goal is to integrate AI in a way that supports educators and enhances decision making, while fostering equity and inclusivity in Albanian education.

Chapter 6

Identifying appropriate components of regulation of AI in education – Insights from experts

This session brought together five speakers who shared diverse perspectives on the regulatory dimensions and responsible use of artificial intelligence in educational contexts.

6.1. New legal instrument: why needed, why now?

Barbara Wasson

Barbara Wasson, Professor and Director of the Centre for the Science of Learning and Technology (SLATE) of the University of Bergen, introduced the need for AI-specific regulations to address privacy and uphold democratic values. The discussion highlighted the diversity of AI applications, distinguishing between generic AI systems, such as speech-to-text technologies and generative AI, and those developed specifically for educational purposes, such as intelligent tutoring systems and adaptive learning tools. Examples of creative uses of AI, including real-time translation tools, were cited to illustrate its widespread impact. The presentation emphasised the rapid commercialisation of AI in education, with significant market growth projected in the coming years. A critical lack of independent, large-scale evidence on the safety and effectiveness of AI in educational settings was identified, along with gaps in legislation tailored to this context. The importance of including diverse stakeholders, from teachers to policy makers, in decision-making processes was underlined. The discussion concluded by emphasising the central role of education in fostering democratic citizenship and institutions. AI was framed as a tool to support this goal, reinforcing the importance of a proactive, value-driven approach to its integration in educational systems.

6.2. Why is AI regulation needed?

Chiara Finocchietti

Chiara Finocchietti, Director of the Information Centre on Academic Mobility and Equivalence (CIMEA), provided an in-depth perspective on how artificial intelligence intersects with the recognition of qualifications and its implications for education. The focus was placed on the potential of AI to support equitable access to higher education and facilitate the fair recognition of academic qualifications. The presentation highlighted AI's potential to automate routine tasks, counter document fraud, enhance efficiency and ensure fairness while underscoring the risks of discrimination, unequal access to data and concerns about the reliability of AI-determined learning outcomes.

6.3. Perspectives on possible legal scope: spotlight on Slovenia

Borut Stojilković

Borut Stojilković, Undersecretary and Policy Adviser at the Ministry of Higher Education, Science and Innovation in Slovenia, shared insights on Slovenia's approach to integrating AI into education. Highlighting both advancements and challenges, he explained the ongoing efforts to regulate and responsibly implement AI across various educational levels. The speaker noted a national programme for promoting AI, alongside various ministry-led activities. However, challenges persist in translating European guidelines into national frameworks and ensuring equitable implementation across regions. The current curricula reform integrates digital competences into all subjects in primary and secondary schools, aiming to make AI usage more meaningful and accessible for learners.

6.4. Norway's approach to the regulation of AI in the education sector

Lars Sollesnes

Lars Sollesnes, Senior Adviser at the Ministry of Education and Research of Norway, presented Norway's approach to regulating AI in primary and secondary education. Emphasising Norway's decentralised education system, he explained that many decisions, including the use of AI, are made at the local level, with significant autonomy granted to municipalities and teachers. While the state provides overarching regulations through the Education Act and the national curriculum, it refrains from prescribing specific tools or teaching methods. The Education Act and curriculum stress foundational values like democracy, human dignity and equal opportunity. These principles influence how AI can be integrated into education. For instance, AI tools that conflict with these values – such as those promoting undemocratic ideas – would not be permitted. Privacy regulations, particularly the GDPR, also play a critical role, ensuring that student data is not exploited for commercial purposes or model training. Looking forward, Norway aims to continue updating its guidance to keep pace with rapid AI developments.

6.5. Towards embedding responsible AI and child rights in education: co-creation with young people to identify priorities in AI regulation

Ayça Atabey

Ayça Atabey, post-doctoral researcher at the University of Edinburgh and consultant at the Digital Futures for Children centre, London School of Economics and Political Science (LSE), discussed the findings from a UK-wide project examining children's and young people's perspectives on responsible AI in education. The project focused on embedding responsible AI in the school system and co-creation with young people in secondary schools, including those with additional needs, and used arts-based methods to explore how students perceive and interact with AI tools. Young people's views on AI in education were shared calling policy makers to meaningfully consider messages on the impact of using GenAI, including questions relating to agency and consent, privacy and surveillance, lack of representation, personalisation and educational value. The implications for operationalising key concepts in law such as lawfulness, particularly in terms of consent, transparency and fairness were addressed. The interpretation of fairness should go beyond preventing harm, bias or discrimination and should further consider the implications of children's rights. It should define what "good" looks like, including the ethical and beneficial use of AI in education for children and young people, rather than primarily benefiting companies. Concerns were raised about the educational value of using AI, its impact on well-being, the environmental costs of its use and the possibility and implications of opting out. The talk highlighted gaps in laws and their enforcement in the UK, referencing the Digital Futures for Children centre's reports on EdTech, calling for a child rights-respecting approach and evaluation framework for AI use in education that would need to address both legal compliance and pedagogical concerns. AI regulatory efforts should pay attention to AI literacy, user agency and educational value questions when setting out requirements for designing AI systems that should align with young people's expectations and prioritise their best interests. It addressed definitional gaps and cross-cutting principles such as fairness across AI-related legal frameworks to avoid confusion among different stakeholders and disciplines. She gave the child rights-oriented definition of fairness by design as an inspiration for upcoming AI frameworks. The presentation concluded with a call to centre the General Comment 25 of the Committee on the Rights of the Child as a guiding light in all decision-making processes and emphasised the need to consult diverse groups of children (for example children with learning disabilities) and educators to inform current efforts for developing AI-related frameworks. Incorporating these perspectives can help address expectations and needs of diverse groups of students, and teachers can create frameworks that not only protect but also empower students, ensuring that AI systems can be used to contribute positively to educational experiences.

Chapter 7

Review – Day 2 outcomes

7.1. Recap of Day 1: outstanding questions

Beth Havinga

The session reviewed key issues from Day 1, including transparency, pedagogy, data protection, ethics, privacy and innovation, while addressing the unique needs of education in regulation. Challenges such as the lack of common terminology, accessibility versus exclusion and evidentiary gaps due to restricted tool access were discussed. AI's impact on learning was explored, highlighting stress for students, excessive responsibility on teachers and the importance of student agency in decision making. Trust in AI was examined, focusing on knowledge dissemination, clear terminology and fostering trust among stakeholders. The importance of lifelong learning and citizenship education was stressed to support informed engagement with digital tools, alongside critical reflection on trust and ambiguity.

7.2. Defining outcomes of Day 2

Ahmet-Murat Kılıç

Day 2 focused on refining recommendations for the legal instrument through discussions in four thematic groups. Attendees were encouraged to contribute insights from their personal and national perspectives. The structured format involved brainstorming, thematic grouping and reporting, with outcomes intended to shape the framework of the legal instrument.

Chapter 8

Keynote – A critical perspective of AI, democracy and education

Matjaž Gruden

The Director for Democracy at the Council of Europe, Matjaž Gruden, offered a reflective and thought-provoking address, connecting AI, education and democracy. Acknowledging the dual potential of AI as both a transformative tool and a source of fear, the address underscored the importance of education in shaping the interaction between humans and technology. Education, as a pillar of democracy, was highlighted as a critical field for fostering resilience and understanding amid the rapid development of AI. Key points included a call to view AI as a tool shaped by human agency rather than an autonomous force, underlining the necessity of informed decision making in its application. The address also drew attention to the potential risks of bias, inequality and undue surveillance in the deployment of AI in education. Public authorities were urged to ensure that AI applications serve the public interest, prioritise equity and prevent the amplification of existing disparities. The analogy of testing new medication versus the unchecked introduction of AI in education highlighted the need for robust regulatory frameworks to safeguard learners.

Chapter 9

Why is AI regulation needed?

9.1. Presentation

9.2.1. Artificial intelligence regulation: a special case for education

Julija Kalpokienė and Malgorzata Cyndecka

Julija Kalpokienė, Practising Lawyer and Lecturer and Researcher, Advokatės Julijos Kalpokienės kontora (Law Firm) and Vytautas Magnus University, and Malgorzata Cyndecka, Associate Professor, Faculty of Law, University of Bergen, and Researcher at the Centre for the Science of Learning and Technology (SLATE), focused on the importance of regulating AI in education as a unique sector that requires specific attention. They began by examining the existing legal frameworks, such as the [Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law](#), the Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data ([Convention 108+](#)), and the EU's AI Act and the GDPR. While these frameworks share key values such as human-centric, trustworthy and transparent AI, they do not specifically address the distinct needs of the educational sector, particularly concerning children's rights.

They highlighted that education, as a lifelong and formative process, affects individuals deeply and plays a foundational role in democracy, the rule of law and other human rights. Given the widespread applications of AI in education, they emphasised that existing regulations lack specificity for educational contexts, leaving gaps that could expose students to risks, such as biased decision making and potential over-reliance on AI systems. The speakers proposed a supranational regulatory framework specifically tailored to the educational sector. Such a framework would provide additional safeguards without duplicating existing regulations. They argued that a collaborative approach involving multiple countries would be necessary to address the cross-border nature of AI technologies in education and emphasised the Council of Europe's suitability to co-ordinate this framework.

In summary, they called for a legal instrument that complements current data protection and AI laws by focusing on education-specific risks and ethical considerations. This framework should ensure AI serves as an enabler for learning while safeguarding foundational rights and promoting democratic values.

9.2. Context keynotes

9.2.1. What and where we need to regulate AI in education

Andrea Tognoni

Andrea Tognoni, Head of EU Affairs, 5Rights Foundation, Belgium, highlighted the need for AI as well as data protection governance in education that prioritises children's rights. He outlined several critical issues, starting with the knowledge gap, noting that there is often insufficient planning around the role of AI and more broadly of education technology in schools, which calls for children's voices and focused research on the developmental effects of AI and EdTech. The speaker also pointed out the enforcement gaps, where schools struggle with implementing privacy laws such as the GDPR amid the uptake of education technologies, and the regulation gap, as current laws do not specifically address the impact of AI on children's rights, including in educational settings.

In addition, he emphasised that most educational tech products still respond to design and development criteria that prioritise commercial goals over the unique needs of students, notably in terms of missed opportunities and access to the potential of the technology, calling this the innovation gap. The speaker proposed creating frameworks that prioritise children's rights in AI and education technology, including specific regulatory standards and technical certification for AI as well as education technology based on age appropriate and safety by design principles.

9.2.2. Regulation of AI in education: challenges from the CNIL's perspective

Elodie Weil

Elodie Weil, CNIL (French Data Protection Authority) Privacy Counsel – Department of Governmental Affairs, France, shared CNIL's perspective on AI regulation in education. She outlined CNIL's focus on three main risks associated with AI data processing in education: confidentiality, data accuracy and data loss. Specific concerns included the potential for cyberbullying through data sharing, errors like modified grades and the loss of critical data due to AI errors. The presenter also highlighted the issue of "excessive confidence" in AI systems, where false positives could lead to errors, as seen in CNIL's recommendations on AI for remote monitoring of exams. The speaker reviewed regulatory frameworks relevant to AI in education, including the GDPR and the UN Convention on the Rights of the Child. The speaker stressed the importance of human oversight, as required by Article 22 of the GDPR and Article 14 of the EU AI Act, especially for high-risk AI systems in education. However, the speaker pointed out that low and minimal-risk AI systems do not require such oversight, which could pose challenges in educational contexts.

Ms Weil also discussed CNIL's initiatives, such as the 2022 EdTech Sandbox, which explored ethical implications of AI in educational technology. CNIL's continued focus includes audits and inspections, with an emphasis on child data protection. The presenter concluded by emphasising the need for ongoing evaluation and regulation to safeguard children's rights as AI becomes more integrated into education.

9.2.3. Overview of existing AI challenges and regulation

Kristina Ishmael

Kristina Ishmael, former Deputy Director at the United States Department of Education's Office of EdTech, shared her perspective on the current state of AI in education in the USA. She highlighted a significant demand for guidance at all levels: students seek direction from teachers, teachers from system leaders and leaders from national government authorities. However, with the rapid advancement of AI, especially since the release of ChatGPT, the education sector is struggling with the absence of clear regulations, creating a "wild west" environment where tech companies primarily drive development.

The speaker emphasised the need for policies that keep pace with technology, particularly regarding data privacy, security and the ethical use of AI with minors. She noted that AI tools, especially large language models, are not trained on educational data, leading to issues like bias, misinformation and the risk of cyberbullying through deep fakes.

Reflecting on her experience in federal policy, she encouraged international frameworks with varying levels of regulatory involvement. The speaker suggested that providing multiple entry points could allow US states or local entities to adopt best practices even if the federal government cannot formally engage. The presenter concluded by underscoring the importance of collaborative international resources to inform AI policy in US education and thanked the conference attendees for their efforts to protect and support learners in the AI landscape.

9.2.4. Regulation steering AI in education

Eva Nave

Eva Nave, Legal and Policy Adviser to the Cabinet of the Secretary of State for Science (SEC), Ministry of Education, Science and Innovation (MECI), Portugal, discussed the regulatory challenges and needs associated with AI in education. She outlined current AI applications in education, such as adaptive tutoring, plagiarism detection and admissions management, highlighting gaps in existing frameworks like the Council of Europe's framework convention on AI and the EU AI Act. These frameworks often contain exceptions that can lead to inconsistencies, especially within education, and the speaker noted that the GDPR lacks specific human rights protections regarding children's data in educational AI contexts.

The presenter emphasised the need for new regulations that address AI in education across different stages. At the developmental stage, Ms Nave argued for legal requirements that prioritise protection for students and teachers, ensuring transparency in data training and reconceptualisation of consent processes, especially for children. At the deployment stage, she called for clarity on data storage, underlined the importance of proportionality and data minimisation principles and advocated for a stronger engagement of technical experts to better establish human rights safeguards, namely through encryption. At the enforcement stage, the speaker stressed the importance of clarifying human rights responsibilities for AI developers and deployers, referencing the OECD's human rights due diligence framework as a model. Finally, at the stage of accountability and remediation, she advocated for a prioritisation of individual rights over service contracts, for practices preventing anti-competition and for independent public oversight. The speaker concluded by underscoring the importance of international co-operation to harmonise AI regulation in education.

9.2.5. Integrating student and teacher perspectives in AI policy for education

Estelle Ciesla

Estelle Ciesla, a research assistant from Stanford University, presented findings from two deliberative polls on AI in education, one with US high school students and the other with teachers. The polls aimed to gather diverse perspectives on the role of AI in education amid the rapid – sometimes hasty – implementation of AI policies in schools after the release of ChatGPT. The deliberative polls revealed key insights: both students and teachers widely opposed a ban on AI in schools, favouring its use as a tool for creating teaching materials and aiding in assignments. However, students showed more caution than teachers, with a higher percentage of students concerned about over-reliance on AI and its potential to undermine critical thinking skills. Notably, both groups strongly supported guidelines and training on responsible AI use, with 88% of teachers and 83% of students expressing a need for structured resources.

The presenter highlighted that this deliberative model, which includes informational sessions and expert consultations, encourages informed decision making and can be replicated internationally. The next phase involves high school administrators, with plans to expand similar studies beyond the USA to explore global perspectives on AI in education.

Chapter 10

Elements of the legal instrument – Clarifying challenges

10.1. Presentations

10.1.1. Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law

Vadim Pak

Vadim Pak, Co-Secretary to the Committee on Artificial Intelligence (CAI), Council of Europe, introduced the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, a treaty negotiated to address the complexities of AI within the realms of human rights, democracy and the rule of law. He highlighted the challenge of creating a global treaty that encourages innovation while safeguarding fundamental rights. This complexity is compounded by the rapid evolution of AI, as regulations risk becoming outdated if they lack flexibility.

The speaker explained that the treaty's key focus is on ensuring accountability and transparency throughout AI's life cycle, from development to deployment, emphasising that AI regulation should anticipate risks proactively rather than rely solely on remedial actions after harm occurs. Two major chapters of the convention explore remedies to address AI's "black box" nature, and risk and impact management, emphasising preventive measures for AI use in education and other critical areas. He concluded by stressing that the treaty must balance international human rights standards with local legal systems, aiming for a flexible yet robust regulatory framework.

10.1.2. Perspectives from the Council of Europe's Steering Committee for the Rights of the Child (CDENF)

Justine Vizier

Justine Vizier, from the Council of Europe's Children's Rights Division, discussed efforts to protect children's rights in digital environments, focusing on the impact on education. She highlighted the importance of the Council of Europe's guidelines, including [Recommendation CM/Rec\(2018\)7](#), which strongly advocates for grounding future legal instruments in a tech-neutral approach and incorporating AI awareness and ethical use within school curricula. She called attention to the Council of Europe's "Mapping study on the rights of the child and artificial intelligence" by the Alan Turing Institute, which recommends awareness-raising campaigns, ethical AI education and child rights impact assessments to address AI risks in educational settings. She also emphasised that the focus of this year's World Day for the Prevention of and Healing from Child Sexual Exploitation, Abuse and Violence on 18 November at the Council of Europe was on AI-related risks. Her presentation reaffirmed the Council of Europe's commitment to building a comprehensive legal framework, including the development of a child rights impact assessment tool in collaboration with the 5Rights Foundation, to safeguard children in the evolving AI landscape.

10.2. Clarifying challenges: group discussions

10.2.1. Group 1 – Ensuring equitable and inclusive quality education while addressing the digital divide

Moderators

- ▶ **Dora Katsamori**, Associate Researcher, National Centre for Scientific Research “Demokritos”
- ▶ **Alex Kaiserlis**, Artificial Intelligence and Machine Learning Researcher and Educator, Instudies

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

The discussion about reducing the digital divide and promoting access to equitable and inclusive quality education focused on the need for the proposed legal instrument to highlight and contribute to the following areas:

- ▶ the provision of guidelines and support on the field of adaptive and personalised learning;
- ▶ highlighting the need for lifelong learning and, in particular, educators’ training and mentoring in order to ensure both educators’ and learners’ well-being;
- ▶ the design and development of AI literacy oriented in the field of education with and for AI, as well a relative framework with a focus on human rights, such as respect, accountability, explainability and personal data protection;
- ▶ minimising cost and fostering open-source solutions that are compiled to AI regulation.

The challenges and solutions identified by five different inside groups (A to E) are detailed below.

Group A – Defining the digital divide and quality education

Challenges identified

- ▶ Regional and socio-economic disparities in access to EdTech tools, particularly in minority or remote communities.
- ▶ Lack of systems to monitor the root causes and impact of these disparities effectively.

Proposed solutions

- ▶ Engage teachers, parents and national policy makers to address the gaps comprehensively.
- ▶ Design educational guidelines tailored to local contexts, focusing on pedagogy, teacher training and digital literacy.
- ▶ Introduce early-age EdTech courses to reduce long-term digital skill gaps.
- ▶ Conduct broader societal discussions to prevent teacher burnout and enhance AI integration in education.

Group B – Inclusion and access in marginalised communities

Challenges identified

- ▶ Bias in AI datasets and systems, often excluding marginalised communities from equitable access.
- ▶ Financial barriers to accessing AI technologies, limiting opportunities for disadvantaged groups.

Proposed solutions

- ▶ Encourage the use of open-source tools to reduce costs.
- ▶ Provide training and tools for teachers to navigate and mitigate AI biases.
- ▶ Ensure socio-contextual support for educators in understanding AI systems.

Group C – Digital divide and rights of persons with disabilities

Challenges identified

- ▶ The digital divide is exacerbated by societal structures limiting the inclusion of individuals with disabilities.
- ▶ Lack of clear definitions around equity, literacy and stakeholder participation in AI systems.

Proposed solutions

- ▶ Prioritise inclusivity as the default in AI system design, ensuring access to resources for all.
- ▶ Protect the right to personal data and transparency in AI processes, aligned with EU AI Act provisions.
- ▶ Address linguistic divides and ensure civic education programmes emphasise digital skills and human rights.

Group D – Socio-economic impacts of the digital divide

Challenges identified

- ▶ The cost of AI systems creates significant barriers, often favouring wealthier communities.
- ▶ Unregulated use of “free” AI tools, which monetise user data, raises ethical concerns.

Proposed solutions

- ▶ Centralise investments to ensure equitable AI access and training for teachers, parents and students.
- ▶ Implement regulatory frameworks to manage private-sector involvement and protect vulnerable users.
- ▶ Focus on AI literacy as a cornerstone for reducing inequities and promoting lifelong learning.

Group E – Multilevel solutions and decentralised approaches

Challenges identified

- ▶ Capitalistic pressures within education systems limit the potential of AI for equitable application.
- ▶ Teachers require substantial support and ongoing training to adapt to rapid AI advancements.

Proposed solutions

- ▶ Promote decentralised solutions involving schools, local governments and non-governmental organisations to ensure equal access.
- ▶ Equip educators with the tools and knowledge to evaluate and integrate AI responsibly.
- ▶ Highlight the need for sustainable funding models to prevent unequal resource distribution.

As a summary of the challenges and solutions identified by the five different groups, addressing the digital divide in education requires a multifaceted approach that emphasises inclusivity, equity and collaborative governance. Participants highlighted the urgent need to strengthen regulatory frameworks while equipping educators, learners and policy makers with AI literacy through tailored training programmes. To bridge the gap, it was proposed to align curriculum content with diverse learner needs, appoint dedicated school-level digital co-ordinators and integrate best practices, such as Slovakia’s government-led digital co-ordination model. Stakeholder collaboration emerged as vital, with roles clearly defined across local, national and European levels to promote equitable access and accountability. Participants stressed that empowering educators, supporting innovative SMEs and engaging parents as change agents would ensure sustainable implementation. Additionally, creating evidence-based resources accessible to students, researchers and policy makers was deemed crucial for building trust and fostering informed decision making in AI-enabled education.

10.2.2. Group 2 – Protecting human rights of children in AI in education

Moderators

- ▶ **Jen Persson**, Director, Digital Defend Me
- ▶ **Malgorzata Cyndecka**, Associate Professor, University of Bergen

A broad, high-level discussion on rights, including the European Court of Human Rights’ stance on issues such as discrimination, and how these align with a risk-based approach. The discussion also explored whether needs and risks should be assessed individually for each student – within a classroom, year group or school – or whether educators should treat children as a homogeneous group. These notes reflect the wide range of views in the discussion and are not necessarily the view of the facilitators. The discussion focused on enhancing awareness and respect for children’s rights in education, particularly with AI adoption. It highlighted the uneven understanding of children’s rights and emphasised their indivisibility and inalienability. Balancing freedoms with factors such as expression, thought and quality education with freedoms from violence, discrimination and exploitation was considered essential. Data protection and privacy, especially regarding professional confidentiality and the involvement of commercial stakeholders, were noted as areas requiring greater attention. The discussion also stressed the importance of children’s participation in decisions about AI tools and their right to opt out, addressing inclusivity challenges and family decisions on participation.

Participants highlighted concerns about discrimination and automated decision making, noting weak mechanisms for remedy and redress in education. They called for integrating children’s rights at all levels of policy and practice, ensuring these rights are operationalised effectively. Teachers were identified as key stakeholders, requiring training and support to navigate AI risks and personalise learning materials. Industry responsibility and accountability were emphasised, alongside institutional solutions to provide equal educational experiences across diverse contexts. Co-operation among educators and robust validation of AI tools were recommended to address risks such as bias and misinformation.

The group also debated the challenges of regulating AI inferences and balancing conflicting interests between companies, schools and children. A proposal for a data intermediary to manage learner data responsibly sparked discussion, balancing innovation with concerns about privacy, intellectual property and democratic participation. Comprehensive stakeholder engagement, clear frameworks for accountability and a focus on children's best interests were identified as crucial to ensuring AI in education aligns with human rights and promotes equity.

10.2.3. Group 3 – The role of stakeholders in implementing and operationalising the legal instrument

Moderators

- ▶ **Gianluca Misuraca**, Founding Executive Director AI4Gov, Politecnico di Milano and Universidad Politécnica de Madrid and Founder and Vice President of Inspiring Futures
- ▶ **Julija Kalpokienė**, Practising Lawyer and Lecturer and Researcher, Advokatės Julijos Kalpokienės kontora (Law Firm) and Vytautas Magnus University

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

The discussion emphasised the complexity of AI implementation in education, the need to incorporate diverse stakeholder perspectives and the importance of clearly defining roles and responsibilities. Challenges such as resistance to change, diverse regulatory environments, resource limitations and slow institutional adaptation were identified. Solutions included legal AI literacy education, capacity building and developing targeted training for teachers, parents and students. Stakeholders stressed the importance of stakeholder-specific guidelines, agile regulatory frameworks and initiatives such as massive open online courses (MOOCs), interactive training and parent-led workshops to raise awareness and build competency.

Collaboration among industry, educators, parents, policy makers and EdTech developers was seen as essential. Examples of good practices, such as Norway's GDPR compliance system and Slovakia's digital co-ordinators, were recommended as models for aligning policy with practice. Teachers were highlighted as pivotal in integrating AI into education, requiring advanced training and resources to navigate the pedagogical and ethical dimensions of AI.

The discussion also called for evidence-based decision making, the creation of impact assessment tools and the development of governance models involving multilevel boards of experts. The session concluded by stressing the need for stakeholder engagement, capacity building and clear policy direction to address challenges and harness the potential of AI effectively.

10.2.4. Group 4 – Opportunities and challenges in harmonising approaches to regulating AIED across member states

Moderators

- ▶ **Ilkka Tuomi**, Chief Scientist, Meaning Processing Ltd
- ▶ **Irene Chounta**, Professor of Computer Science, University of Duisburg-Essen

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-enabled technologies in education?

The group discussion focused on the impact of regulation on innovation and to what extent one should "regulate" regulation in order to allow for innovation. Two practical questions were further discussed: a. how should existing regulations be operationalised at the level of the member states to accommodate different education systems and policy agendas? and b. is new regulation required to address the transformation AI imposes on educational institutions and practices?

Group participants discussed harmonisation from the perspective of establishing common principles across member states and different stakeholders (for example schools and industry). They pointed out the importance of co-designing structures and support for education rather than regulating education. On the other hand, they stated that when regulation is necessary, this should target technology providers.

The most prominent challenges that participants identified were:

- ▶ accommodating the differences between member states in terms of education and legal systems, political and policy agendas, evaluation mechanisms and mindsets;
- ▶ sustaining “guided” autonomy: participants pointed out that while preserving autonomy is important, “too much” autonomy may lead to frustration. This suggests that translational guidelines are necessary to provide guidance to the member states but, at the same time, the member states should be able to establish their local regulations that operate within a transnational framework;
- ▶ underpinning common understanding of rules and regulations, as well as how to act upon them;
- ▶ identifying common challenges. The ample differences between member states on multiple fronts make it hard to pin down common challenges that should be addressed in tandem.

Regarding opportunities, the following points were highlighted in the discussion:

- ▶ working on global scenarios for informed decision making. To accomplish this, it is necessary to establish an inventory of challenges and potential solutions that could emerge from a bottom-up approach: starting at the member state level and extending to the transnational level. This inventory should then be shared among members;
- ▶ setting up a network of independent observers to facilitate the appropriate use of artificial intelligence and education (AI&ED) and to provide insights;
- ▶ building on existing, successful paradigms of rules and regulations from other domains such as healthcare or occupational health and safety;
- ▶ aligning co-regulation with risk analysis and impact evaluation while involving multiple stakeholders, including technical providers.

In conclusion, it was determined that regulation is not the “enemy” of innovation, but it can instead become the instrument for shaping markets so that innovation is directed towards socially beneficial and non-harmful outcomes.

Chapter 11

Effective implementation of the legal instrument and support mechanisms

In this session, participants split into four group discussions to explore the effective implementation of a legal instrument and the support mechanisms required. Before the discussions, Ron Salaj presented the policy toolbox for teaching and learning with and about AI, an initiative of the Council of Europe.

The policy toolbox was introduced as a resource to guide stakeholders in the responsible use of AI in education. This toolbox aims to assist policy makers, educational institutions, students, teachers, administrators and other stakeholders in making informed decisions about AI integration. It focuses on fostering trust, promoting sustainable innovation and upholding the values of human rights, democracy and the rule of law. The framework is structured into three main domains. Governance examines the regulatory landscape, stakeholder responsibilities and principles underpinning AI use, offering tools such as a policy and regulatory framework navigator to help navigate complex systems. Competences address the knowledge, skills, values and attitudes necessary for effective AI use, providing tools to support educators, learners and public-sector professionals. The education domain tackles key questions about why, when and how AI should be used, proposing tools like an assessment readiness tool and resources for future-oriented AI planning. The policy toolbox integrates critical reflection with actionable tools, ensuring stakeholders across all levels, from national policy makers to organisations, can engage in shaping AI's role in education responsibly.

11.1. Group 1 – Policy toolbox on teaching and learning with and about AI

Moderators

- ▶ **Ron Salaj**, Researcher, University of Turin
- ▶ **Ilkka Tuomi**, Chief Scientist, Meaning Processing Ltd
- ▶ **Veronica Stefan**, Founder of Digital Citizens Romania
- ▶ **Marjana Prifti Skenduli**, Artificial Intelligence/Machine Learning Researcher and Assistant Professor, University of New York Tirana | Founder of AI-Albania
- ▶ **Barbara Wasson**, Professor and Director of the Centre for the Science of Learning and Technology, University of Bergen
- ▶ **Gianluca Misuraca**, Founding Executive Director AI4Gov, Politecnico di Milano and Universidad Politécnica de Madrid and Founder and Vice President of Inspiring Futures

Objectives

The aim of this workshop was to present the preliminary work on the policy toolbox, including background, rationale, purpose, scope, audience and intended tools. It also provided an opportunity to collect feedback, comments, recommendations and best practices from participants on specific tools. Additionally, the workshop aimed to create space for participants to propose ways forward for future collaboration methods within the framework of the policy toolbox such as commitments to testing it.

Workshop structure

The workshop was structured into three main parts. It began with a welcome and introduction session that outlined the purpose of the workshop and explained the expected outcomes. Participants were introduced to three thematic working tables: governance, competences and education.

In the second part, participants engaged in discussion and feedback sessions. They were divided into three groups and rotated between the working tables, where facilitators guided discussions. At each table, participants were introduced to the relevant domain and tools, provided general feedback on missing elements and shared examples or tools from their national contexts.

The workshop concluded with a summary of the discussions from each table, an outline of the next steps for the policy toolbox and an invitation for participants to stay in touch for future feedback and testing. The session ended with final remarks and a closing session.

Workshop outcomes

Working table – Governance

The outcomes from the working table on governance highlighted various aspects of AI governance in education and its integration into broader frameworks. Participants discussed the importance of national and regional resources, such as Catalonia's government platform ([link](#)) for teachers, which provides tools, training and bibliographies at the school level. The need to ensure ethical and informed AI use was emphasised, particularly in relation to training for educators and establishing voluntary guardrails, as seen in Australia's federal framework for generative AI.

The discussions also explored surveillance and governance dynamics, addressing the balance between public oversight, government responsibility and the role of private providers. Ethical considerations, especially in areas such as clustering students based on AI-determined patterns, were highlighted as critical to shaping future governance frameworks. Initiatives from France, such as the GAR (Gestionnaire d'Accès aux Ressources Numériques – [link](#)) under the Ministry of Education, were cited for their focus on deploying resources efficiently and safeguarding students' rights. Stakeholders discussed safeguarding policies, emphasising their importance when introducing AI tools to students. High-level frameworks such as those of the United Nations Educational, Scientific and Cultural Organization (UNESCO) were recognised for their contributions to setting global standards, and templates for evaluating consequences of readiness tools were suggested to improve accountability. Methods to translate regulations for diverse stakeholder groups were also considered essential, particularly in maintaining the integrity of education systems. Examples of the integration of AI into governance included Lithuania's guidelines for ethical AI use in higher education and pilot programmes to integrate EdTech into schools. Croatia and Slovenia were noted for involving teachers in technology programmes (Fly Digital Technology programme at the Croatian Academic and Research Network (CARNET)), while Germany was mentioned for establishing infrastructure approval processes for digital media and implementing quality assurance measures.

The rapid pace of technological development and its implications for policy making were underscored, with a focus on fostering public trust through citizen input and transparency. Independent research, such as that of Fairbridges Wertheim Becker ([link](#)), highlighted the importance of aligning governance strategies with community needs and international frameworks. Overall, the table underscored the importance of multistakeholder collaboration, ethical oversight and clear frameworks to ensure the responsible use of AI in governance and education.

Working table – Competences

The outcomes from the working table on competences focused on the need to address competency gaps and strengthen educational frameworks, particularly in the context of AI and literacy. Participants emphasised the value of national mappings, such as those by the OECD, to understand current competency levels and identify gaps. The discussions highlighted the public sector's limitations in negotiating and understanding programmes and risks, underscoring the importance of building competences for informed decision making. The pedagogical value of tools and frameworks was stressed, including the necessity for frameworks to focus on continuous professional development (CPD) as part of a lifelong-learning process. Examples like the MOOC AI4T (INRIA) demonstrated how tools could inspire decision makers and schools, particularly in advancing AI literacy, which remains under-represented in many educational frameworks. Resources like PIX (France) for formative assessments and programmes such as the ICT-REV (use of information and communication technology in support of language teaching and learning) project were identified as effective strategies to supplement summative assessments.

Participants discussed the involvement of other stakeholders, particularly school administrators and information technology (IT) teams, who often select tools without sufficient time or training to ensure alignment with educational needs and values. Multistakeholder collaboration was seen as essential for developing decision-making competences, especially as technologies evolve rapidly. Programmes like Germany's media box and

South Africa's framework for training parents through schools highlighted the importance of broad stakeholder engagement. International examples showcased diverse approaches to competency building. The Australian Curriculum, Assessment and Reporting Authority's (ACARA) AI initiative, the European Schoolnet's MOOCs and Lithuania's Transform for Europe Alliance demonstrated innovative models for the training and framework integration of educators. Stakeholders also emphasised the importance of gap analyses to ensure frameworks empower students to exercise their rights, maintain human oversight and support the ethical application of AI.

Finally, resources for school leaders, such as the European e-Competence Framework (e-CF) and initiatives such as Gutes Aufwachsen mit Medien in Germany, were recognised as valuable in promoting digital opportunities and fostering competency development across educational ecosystems.

Working table – Education

The working table on education explored two main tools that addressed different temporal perspectives regarding AI&ED. The first tool, Casual Layered Analysis (CLA), focused on future thinking in AI&ED, which fostered discussions about how education systems might evolve to integrate AI ethically and effectively. Participants also emphasised the need for more detailed research into how AI and society can coalesce to address future educational needs. The second tool, the Assessment Readiness Tool for AI in Education (ARTAIED), concentrated on the present, aiming to assess the readiness of schools to integrate AI. It tackled the question: are schools ready to open their doors to AI? Participants recognised that, while some education systems show potential, many schools are not yet fully prepared to adopt AI due to gaps in infrastructure, teacher training and resource availability.

Discussions also touched on the pedagogical and administrative implications of introducing AI into education. Participants noted that a model for developing AI literacy across all levels of education is essential, with a focus on lifelong learning and adaptability. Concerns about different approaches of education systems, the autonomy of schools and variety of decision-making mechanisms in schools were raised, making it challenging to come up with tools that respond to all contexts. Additionally, participants also reflected on the need to involve other types of education, such as informal and non-formal.

Participants also shared several examples, including the LSE's Code of Practice for EdTech ([link](#)) and the Flemish Department of Education and Training's publication of a vision paper on responsible AI in education ([link](#)) that was later translated into an action plan.

11.2. Group 2 – AI literacy | Higher education and recognition of qualifications perspective

Moderators

- ▶ **Chiara Finocchietti**, Director, CIMEA
- ▶ **Giselle Heleg**, AI expert, CIMEA
- ▶ **Serena Spitalieri**, Head of Credential Information and Evaluation Service, CIMEA

Objective

The purpose of this workshop was to contribute to the advancement of AI literacy in higher education, particularly in the context of recognising qualifications. Through collaborative discussions with a diverse group of stakeholders, the aim was to identify key challenges in AI literacy and explore strategic actions to address these issues. The recommendations aligned with the ongoing efforts of the Council of Europe to shape future initiatives and policies on AI and education.

Workshop structure

The workshop was designed with various interactive and reflective activities, which encouraged active participation and collective problem solving. The participants worked together through group discussions and short plenary sessions, exploring different dimensions of AI literacy.

Activity 1. Defining AI literacy

The workshop began with a collaborative activity using Mentimeter, where participants responded to the open-ended question: "How would you define AI literacy?" This tool allowed for real-time engagement, fostering a shared understanding of the term and revealed the diverse perspectives surrounding it.

Several key themes emerged from this activity:

- ▶ understanding AI and explore how it operates;
- ▶ ethical and responsible use of AI;
- ▶ critical thinking and awareness of the use of AI systems in education.

Activity 2. Identifying core aspects of AI literacy

Following this initial definition exercise, participants were asked to provide three keywords that, in their opinion, best define AI literacy. This was done using Mentimeter's word cloud feature, which visually represented the most frequently mentioned terms: awareness; critical thinking; access and equity; trust and transparency; and responsibility.

Problematising AI literacy

Building upon the ideas generated through the Mentimeter activity, the workshop transitioned into a deeper examination of the concept of AI literacy. These reflections led to the formulation of five foundational pillars for AI literacy, which serve as guiding principles for future initiatives.

- ▶ **Human and technological dimension:** AI literacy should encompass both technical knowledge and the ability to critically assess the broader societal impact of AI, including ethical and human rights considerations.

Prompting question. How can we ensure that technological and human dimensions are effectively integrated into educational practices?

- ▶ **Human rights, democracy and the rule of law:** AI literacy should empower individuals to make independent, critical judgments about AI while enforcing fundamental rights.

Prompting question. How can we create AI literacy initiatives that effectively integrate democratic values and human rights into the understanding of AI?

- ▶ **Equitable and inclusive access to quality education:** AI literacy initiatives should address existing inequalities, ensuring that access to AI education is not limited to privileged groups.

Prompting question. How can we prevent AI literacy from exacerbating the digital divide?

- ▶ **Continuous learning and adaptation:** AI literacy must foster a mindset of ongoing learning and adaptation to keep pace with technological advancements.

Prompting question. How can we ensure that AI literacy remains relevant in the face of constant innovation?

- ▶ **Accountability, responsibility and transparency:** clear guidelines must be established for accountability in the development and use of AI, ensuring that educators and learners can act responsibly.

Prompting question. Are our current AI literacy policies sufficient to provide the depth of knowledge required for individuals to act upon their rights and obligations?

Activity 3. Group discussions

The workshop continued with two group discussion sessions where participants answered open-ended questions using Mentimeter.

Prompting question 1. Which aspects of AI literacy in higher education require the most critical or strategic attention?

Training and capacity building. Participants identified a critical need for ongoing training in how to work with AI, both for students and educators. This includes not only technical skills, such as programming, coding and the use of AI tools, but also a broader understanding of how to effectively and ethically implement AI in higher education. The lack of sufficient knowledge in these areas among educators was highlighted, as many struggle to critically engage with AI technologies or incorporate them into their teaching. Training on how to filter AI content, improve prompting skills and build trust in AI systems were suggested as key points to overcome these gaps.

Ethical use of AI. A recurring concern was the ethical implications of AI use in education. Participants emphasised the need for AI literacy programmes to address ethical standards, particularly in relation to algorithmic bias, the ethical use of AI in decision making and the potential over-reliance on AI systems. There is a strong call for educators and students to understand where AI use might conflict with core educational values, such as integrity and originality, especially when it comes to plagiarism and intellectual property issues.

Regulatory frameworks. The lack of clear regulatory guidelines for AI use in higher education was seen as a significant challenge. Participants advocated for stronger regulations that guide how AI tools are implemented, ensuring transparency and ethical standards. This includes addressing over-regulation concerns, as well as the need for centralised guidelines that balance academic autonomy with standardised practices. Additionally, participants called for more defined policies regarding the integration of AI in assessments and examinations, particularly concerning how AI use might affect fairness and learning outcomes.

The role of AI in higher education and learning. Several participants pointed out the need to critically evaluate how AI is integrated into higher education. Concerns were raised about the role AI plays in filtering content and automating educational processes, and how these might overshadow critical thinking and the development of essential skills. There were also discussions about the potential for AI to create isolation, as it omits the social interactions that are fundamental to education. As such, finding a balance between leveraging AI's capabilities and maintaining essential human elements in learning is crucial.

Fear and trust in AI. Trust was frequently mentioned as a major barrier to the effective adoption of AI in education. Many participants highlighted a widespread fear of using AI, either due to misunderstandings of how AI works or concerns over its potential risks. AI literacy programmes must work to overcome these fears by building trust through transparent practices, educating users on AI's limitations and emphasising its ethical use.

Academic integrity and plagiarism. A major issue discussed was the intersection of AI and plagiarism. Participants raised concerns about where the use of AI in producing work ends and plagiarism begins. This gains significance in higher education, where academic integrity is paramount. There were calls for clearer guidelines on the acceptable use of AI tools in the academic sphere, as well as strategies to help students understand the boundaries between AI assistance and plagiarism.

Funding and resources for AI research and education. Participants also mentioned the need for increased funding to support AI research and education in higher education institutions. Adequate resources are essential for developing robust AI literacy programmes that can keep pace with technological advances and ensure equitable access for all students, regardless of socio-economic background.

Prompting question 2. What measures could help overcome the identified critical issues in AI literacy in higher education?

Regulatory frameworks and governance. Participants emphasised the need for clear and structured regulatory frameworks to ensure responsible AI use in higher education. Various measures were suggested to address this:

- ▶ establish regulatory guidelines that provide a strong foundation for the ethical application of AI;
- ▶ implement strict regulations for educational technology companies to prevent unethical practices;
- ▶ develop soft regulations targeted at users, such as teachers, students and parents, to ensure safe and informed usage of AI tools;
- ▶ balance regulation with autonomy, ensuring that institutions retain the freedom to innovate while adhering to ethical guidelines.

Capacity building and training. Building the skills of educators and students was considered a crucial step. Participants suggested the following measures:

- ▶ invest in capacity building for academic and higher education staff to strengthen their understanding and engagement with AI technologies;
- ▶ provide continuous training for both academic and administrative staff to ensure they are equipped to integrate AI effectively in educational settings;
- ▶ include students' participation in the process, fostering a learning environment where learners can actively engage in AI literacy programmes.

Ethical and responsible use of AI. Ethical considerations were a recurring theme, with participants calling for measures to ensure the responsible deployment of AI in education. Key measures included:

- ▶ promoting the responsible use of funding to support ethical AI projects in higher education;
- ▶ integrating an ethical dimension into all AI literacy initiatives, ensuring that ethical concerns are addressed at every stage of AI implementation;
- ▶ encouraging the use of open-source AI technologies to ensure transparency, accessibility and fairness in AI education tools.

Recognition of qualifications. Strengthening the systems for recognising AI-related qualifications was identified as a strategic action. Participants highlighted:

- ▶ the need for the recognition of qualifications across borders to facilitate international collaboration and mobility;
- ▶ constant revision to ensure that qualifications reflect the evolving nature of AI literacy.

Inclusion and stakeholder engagement. Ensuring the inclusion of a broad range of stakeholders in AI literacy was emphasised as a critical step towards building a comprehensive and relevant approach. Measures proposed include:

- ▶ encouraging students' inclusion in the development and application of AI literacy programmes to ensure their perspectives and needs are considered;
- ▶ ensuring stakeholder engagement at every level – governments, academia, civil society and the private sector – to promote diverse viewpoints in the creation of AI literacy policies.

Conclusion and recommendations

The AI literacy workshop gathered a diverse range of perspectives and produced several actionable recommendations. The discussions highlighted the importance of not only understanding how to work with AI, but also knowing how AI works. Finally, the discussions underscored the need for AI literacy to be inclusive, adaptable and grounded in ethical principles.

11.3. Group 3 – European reference framework for the evaluation of educational technologies

Moderators

- ▶ **Beth Havinga**, Managing Director, Connect EdTech
- ▶ **Lidija Kralj**, Education Analyst, EduConLK

The objective of this workshop was threefold: a. to present the work carried out by the working group focusing on the background, rationale, purpose and intention of a review system for AIED technologies; b. to collect comments, feedback and recommendations from participants regarding challenges, opportunities and existing gaps; and c. to create a space for participants to share their own realities and experiences, as well as propose and inform ways forward for a review system from their perspectives.

The workshop was attended by approximately 20 participants who were split into two groups. The discussion was organised using a world-café format with two working tables, where each working table was supported by two facilitators. The participants' groups visited each table for 20 minutes and were guided by the facilitators of the working tables to provide specific feedback. During the discussions, the European EdTech Alliance team took note of participants' input.

Working table discussions

Working Table 1. Possible key areas of evaluation

In the feasibility study, we explore different ways of the Council of Europe contributing to existing and developing evaluation and review mechanisms. As a next step, we will be discussing and validating key areas that need to be addressed by a review system. 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. It will be important to discuss what these could look like from different stakeholder perspectives.

Questions for Working Table 1

- ▶ Is there an AI/EdTech evaluation framework in your country?
- ▶ Which should be the areas of evaluation for AI/EdTech systems so as to safeguard the Council of Europe's values and the ethical, pedagogical, legal, social and technical compliance of AI/EdTech systems among others?
- ▶ What criteria do you think an AI/EdTech system should meet?
- ▶ What would make an AI/EdTech system trustworthy according to you?
- ▶ What are the key local legal and regulatory frameworks in your country that need to be considered for the review system?

Participants' input

- ▶ Participants agreed on the need for robust evidence and, in particular, evidence that AIED technologies promote expanding social agency and learning while supporting effective pedagogy.
- ▶ There is a need for inventories that report on practical examples and use cases, especially focusing on implications. Such inventories can be used to establish markers for practical evaluation of AIED systems and to support the process of creating informative documentation that can also be used for comparing different AI systems. Participants pointed out that “black boxes” practically signify lack of documentation and reporting.
- ▶ Regarding the process of creating design principles and evaluation criteria, participants agreed that it should involve multiple stakeholders and take into account different types of beneficiaries. At the same time, the following challenges were highlighted that may impede such processes: a. the lack of preparedness of the education sector; b. potentially competing interests; and c. the frequent lack of synergies between active bodies and working groups at the national and transnational levels that could assume action.
- ▶ The need to test environments was established during the discussion. However, the participants stated that there are other factors that may hinder testing of AIED systems, such as that different perspectives require different criteria or that testing is costly and cannot be applied frequently. To address these challenges, testing should be generic and agile. As potential solutions, the participants considered checklists that provide guidance on how to use such systems (following the example of ISO standards) or smart pilot projects that aim to summarise best practices.
- ▶ Regarding factors that may affect the trustworthiness of AI/EdTech systems and therefore should be taken into account when reviewing, the participants listed the following: how was AI built? Who participated in its development and implementation process? Is this tech being recycled or new? Is there another way that we can achieve the same results (without the use of this technology)? Is this technology and application adaptable and negotiable?
- ▶ Regarding key local legal and regulatory frameworks and testing procedures, participants mentioned eduCheck digital, the International Certification of Evidence of Impact in Education (ICEIE) and the EU Commission's stakeholder group on digital education content.
- ▶ Finally, participants pointed out that a review system should be forward-looking since the focus should be on regulating for the future.

Working Table 2. Potential for supporting guidelines

As part of the work exploring the feasibility of a reference framework for the review of education technologies, the Council of Europe intends to design guidelines, which include basic principles for the development and implementation of any local/national review system (for example how to get started, how to develop and implement, and key components to include when we are developing our own, local review systems). This working table will assess what support methods would make the most sense to different stakeholders and what they could contain.

Questions for Working Table 2

- ▶ What are the fundamental aspects that a review system for AIED technologies should incorporate?
- ▶ Who are the key stakeholders that should be involved in designing such a review system and how?
- ▶ Who (organisation, legal entity, etc.) should be responsible for overseeing, contributing and ensuring the effectiveness and appropriateness of a review system?
- ▶ What mechanisms could be incorporated so that a review system maintains its relevance over time and in relation to fast-paced technological advancements?
- ▶ What kind of support do they expect from the Council of Europe, which could guide our future action?

Participants' input

- ▶ Participants pointed out the need to clearly define what we are trying to assess and who AIED systems serve. To that end, the need for proof that AIED systems go beyond providing entertainment should be highlighted. It is evident that these systems should aim to improve learning based on pedagogical principles.
- ▶ It is imperative to decide which use/service/aim of AI we want to prioritise and use that as a foundation for the reference framework. This suggests that there should be a clear distinction between use cases, services and aims that will expand towards the target audience (stakeholders) and the levels of responsibility of each. As such, the reference framework should consist of multiple layers that address multiple objectives

(different descriptions for different stakeholders; what must the minister of education do, what schools have to do and so on).

- ▶ Stakeholders should be involved in the process of the reference framework design while ensuring that there is enough time to foster meaningful discussions and reflections.
- ▶ It is important to filter information from EdTech that extends beyond hype or marketing purposes and instead provide solid evidence of the effectiveness of AI systems regarding learning.
- ▶ The reference framework should be forward-looking in order to stand the test of time, and it should also remain useful as AI continues to innovate.
- ▶ There is the need to collect and communicate real examples in order to establish well-grounded solutions informed from existing practices.
- ▶ When reviewing AIED systems, pedagogy and learning should be the main evaluation pillars in combination with well-being, safety and integrity.
- ▶ The process of evaluation or assessment of the AI system must be understandable to the target audience; explain why some steps and assessment are needed (why we are doing it), so that users know which questions to ask developers and why.
- ▶ Participants envision that the Council of Europe can play an important role as a reference point: stakeholders could point to the Council of Europe's recommendation on the reference framework or the review of education technologies for international guidelines.

11.4. Group 4 – AI literacy | Critical thinking

Moderators

- ▶ **Wayne Holmes**, Professor, University College London, Institute of Education, Knowledge Lab | UK
- ▶ **Christian M. Stracke**, Coordinator for Cloud Strategy and AI&ED Research | University of Bonn

The fourth workshop, on AI literacy, discussed the needs of AI competences and their potential basis and outlines. The mandate of Resolution 3 of the 26th session of the Council of Europe Standing Conference of Ministers of Education (approved in September 2023) was taken as the starting point. The ministers of education agreed that the Council of Europe should develop “a Committee of Ministers recommendation to ensure that teaching and learning about AI incorporates the impact of AI on human rights, democracy and the rule of law”. In short, we refer to this initiative as “AI literacy”.

During the workshop, participants were divided into seven groups. They were asked to answer five key questions. Each question was introduced, and the groups were given five minutes to discuss and collect their answers on worksheets. They then reported back to the whole group one of their answers, which was discussed by the plenary, and their additional answers were collected. Here, we summarise the results of each of the five questions.

Question 1. What examples of related work from elsewhere should be considered (for example the EU's DigComp 2.2)?

The collected and clustered answers are given below.

- ▶ Guidelines from international organisations (such as EU DigComp, including DigCom.Edu and DigComp.Org, UNESCO AI competency frameworks for students and teachers, OECD Model of Co-agency).
- ▶ International studies (such as the “International computer and information literacy study” (ICILS) with nine items related to AI).
- ▶ International guidelines projects (such as the AI open manual for teachers, AI4Teachers project).
- ▶ National guidelines (from Italy, Germany, Spain and France, for example Carnet d’hypothèse from France, Costruire il futuro: l’IA entità a scuola, Atlante Lavoro e Qualificazioni, INAPP (national institute for the analysis of public policies) from Italy).
- ▶ Practical AI tools (such as the DigComp self-reflection tool for the digital self-evaluation of teachers, the CheckIn Tool for Higher Education, ProTeacher as a training tool for teachers to analyse their work, AI Handout for Teachers with a list of frequently asked questions and practical recommendations developed by the German Network “Ethical use of AI”).
- ▶ AI self-learning courses (such as “Elements of AI” from Helsinki, Finland).

Question 2. Should AI literacy be considered separately to existing digital literacy?

Arguments for and against.

The answers were divided, with some groups agreeing (giving arguments such as “it should be something different due to automatisisation, and AI literacy should be part of digital literacy as an evolving concept” and “AI is more than a tool and AI literacy”) and some groups disagreeing (giving arguments such as “AI literacy is an extension of digital literacy” and “digital literacy is the foundation and AI literacy sits in as sub-set”). However, following the plenary discussion, there was broad consensus among all the participants that AI is a unique digital tool (due to its unique human-like appearance) such that we need to develop specific AI literacy competences, which would need to include digital competences. The relation between AI literacy and digital literacy remained an open question to be tackled in the near future.

Question 3. In what form should AI literacy be presented to teachers, students and policy makers (for example as a set of competences and/or skills, as a framework)?

First, participants stated that the form in which AI literacy is presented should be adapted according to the audience (for example by cultural background, status of teacher [power or disempowered], teacher level or subject expertise). The preferred form would be an adapted toolbox to trigger critical thinking and to support AI literacy (learning what AI is, how it works and its potential impact on humans), and it should comprise a hierarchical framework with levels and categories. It could be presented in the form of a digital tool that includes definitions, implications and links among additional content.

The majority of the collected answers addressed AI literacy for teachers with many diverse aspects (its closeness to their daily work, applied scenarios and use cases directly linked to the teachers’ work). These should be a part of every andragogical, practical and continuous teacher training, not only as content to be considered but also strategically (classroom/classroom, school/school, region/region). It should include learning rights about data protection, human rights of learning, teacher mindsets (“teachers need to step out of their comfort zone and not feel they need to be the ‘expert’”) and teachers as facilitators.

Mainly due to time constraints, there were only a few answers for the other target groups (for students: list of suggestions about learning materials and for policy makers: guidelines).

Finally, it was suggested that AI literacy should be integrated in the students’ and teachers’ curricula.

Question 4. What topics should the human dimension of AI literacy include (for example its impact on child rights)?

The collected and clustered answers were related.

- ▶ Basics of AI literacy: what does it mean to be human (consciousness)?; agency (every decision by AI should have a human oversight); privacy and sense of democracy; the development of human characteristics; impact on human ingenuity, life and learning; fundamental rights (identity); critical thinking; importance of well-being; ethics and ethical use; sense of belonging/community; democratic space of school. The method has to take into account the notions of effort and critical thinking.
- ▶ AI characteristics: who is in control of AI?; agency; trust; accountability; transparency; bias; statistics and probability; determinism.
- ▶ Pedagogical AI use: responsible use of AI; explainability/transparency; pedagogical decisions for assessment; decision-making processes; AI effects on learning processes; assessment; diversity of experience; meaning-making processes; what you prompt is what you get; creativity; reflection; stimulation methods of reflecting on what you learn with AI; how to teach about AI in different subjects.
- ▶ AI impacts: deepfakes and misuse; identity theft; sustainable development goals connected to AI; well-being; effects of AI on life, ecology and sustainability; risks to situational freedoms; action; reflection.
- ▶ Stakeholder involvement: involving parents and informing them about AI; involving learners in creating rules about the usage of AI.

Question 5. What else needs to be considered?

There were few additional contributions as the majority pointed out that the main points had been addressed. The collected answers of the remaining additional aspects are indicated below.

- ▶ Cognitive biases of AI
- ▶ Effects on mental health
- ▶ Emotions (also for mental health).

Chapter 12

What comes next?

12.1. What is still missing?

Beth Havinga

The conference on regulating AI in education illuminated several critical gaps that need to be addressed to ensure effective policy making. Participants highlighted the absence of comprehensive data on EdTech spending, including the use of freeware and tools, which limits informed decision making. Concerns were raised about the binding nature of legal instruments within the European frameworks and their alignment with national regulations. The discussions also pointed to insufficient focus on human rights, democracy, intellectual property and children's image rights, which remain under-explored in current regulatory efforts. Furthermore, the rapid evolution of AI technologies calls for proactive regulatory frameworks capable of addressing safety concerns and future use cases rather than reacting to existing conditions. Lastly, participants emphasised the need to involve children in the policy-making process, ensuring their voices are considered in shaping the future of AI in education. These gaps highlight the urgency of adopting a more holistic, forward-thinking and inclusive approach to regulating AI in education.

12.2. Continued engagement

Michelle DuQuette

The conference highlighted the value of ongoing collaboration and structured input, with participants contributing ideas that would inform reports, recommendations and initiatives leading up to the next working group meeting in the coming year. Key tools such as the Miro board will be refined and incorporated into the broader policy-making process, serving as a foundation for continued development and stakeholder engagement. Participants emphasised the importance of raising awareness of the rights of children in education, recognising this as both a soft measure for public education and a potential hard law obligation for states. The success of the conference's diverse formats, including interactive tools and methodologies, demonstrated the potential for future multistakeholder dialogues. Overall, by focusing on awareness, inclusivity and actionable frameworks, the conference laid a strong foundation for sustained engagement, ensuring that AI regulations in education are informed by comprehensive, multidisciplinary and forward-looking input.

12.3. Closing remarks and the next steps

Villano Qiriazzi

The Head of the Education Department highlighted the conference's progress in pinpointing critical areas for AI in education, noting a strong consensus for regulating AI in education among participants and emphasising the importance of including diverse perspectives, particularly student voices, to achieve a comprehensive view. Immediate priorities include collaborating with AI experts from March 2025 to develop a conceptual framework for a legal instrument on AI in education. This framework will be presented to the Council of Europe's Steering Committee for Education (CDEDU) for input before moving into the drafting phase, with the aim of making substantial progress by the next conference.

Further steps involve engaging focus groups with resources like the policy toolbox and reference framework, alongside specific initiatives in qualifications for higher education. Plans also include creating a series of concise guiding notes on the conference's key topics. The goal is to complete the AI recommendation by the end of 2025, with each European-level instrument designed to enhance communication and co-operation among member states. Lastly, the Head of the Education Department invited participants to the 3rd Working Conference, scheduled for 1 and 2 October 2025, to discuss and review the progress achieved.

Appendix I – Programme

Day 1 – Thursday, 24 October 2024		
Time	Title Speaker	Room
8.30 – 9.00	Registration	
9.00 – 9.25	Welcome Keynote Review 2024 conference outcomes	1
9.00 – 9.05	Welcome remarks Ahmet-Murat KILIÇ Head of the Digital Transformation Unit, Council of Europe	
9.05 – 9.25	Keynote “Council of Europe’s mission in education” Villano QIRIAZI Head of the Education Department, Council of Europe	
9.25 – 9.40	What has been done so far? Beth HAVINGA Connect EdTech, Managing Director	
9.40 – 9.50	2024 conference outcomes Michelle DUQUETTE Community Strategist, European EdTech Alliance	
9.50 – 10.40	Contextualising AI in education Presentation Context keynotes	1
9.50 – 10.00	Overview of the preparatory study for a legal instrument regulating AIED Wayne HOLMES Professor, University College London, Institute of Education, Knowledge Lab UK	
10.00 – 10.10	Supporting schools with a national AI strategy, AI guidelines and AI pilot studies in Luxembourg Daniela HAU Head of Innovation, Department for the Coordination of Educational and Technological Research and Innovation (SCRIPT), Ministry of Education, Children and Youth Luxembourg	
10.10 – 10.20	The use of artificial intelligence in the daily work of elementary school teachers: advantages and concerns Helena VALEČIĆ Teacher, Teacher Adviser, EU Project Manager Croatia	
10.20 – 10.30	The impact of AI in education – An education trade union perspective Martina DI RIDOLFO Education International – European Region (ETUCE) Belgium	
10.30 – 10.40	Presenting a vision paper on responsible AI in Flemish education Katrien ALEN Knowledge Centre for Quality Digital Education, Flemish Department of Education and Training Belgium	
10.40 – 11.00	Coffee break Hopes and fears – Post-it activity	
11.00 – 13.00	AI systems in education: discussing benefits and clarifying challenges	1
11.00 – 11.10	Context keynote “Beyond ‘generic’ AI issues – Impact on children and education settings” Jen PERSSON Director, Digital Defend Me	
11.10 – 11.20	Introducing the clarifying challenges format Michelle DUQUETTE Community Strategist, European EdTech Alliance	

Day 1 – Thursday, 24 October 2024 (cont'd)			
Time	Title	Group facilitators	Room
11.20 – 12.15	Clarifying challenges: group discussions		
Groups Themes Content	Group 1 – Pedagogy What methods and infrastructure are needed for best pedagogical impact using AI in the classroom?	Lidija KRALJ Education Analyst, EduConLK Christian M. STRACKE Coordinator for Cloud Strategy and AI&ED Research University of Bonn	2
	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, socio-economic status, minority languages, religion or belief, membership of a national minority)?	Ron SALAJ Researcher, University of Turin Marjana PRIFTI SKENDULI Artificial Intelligence/ Machine Learning Researcher and Assistant Professor, University of New York Tirana Founder of AI-Albania	3
	Group 3 – Collaboration Changes in relationships, agency, authority between institutions, parents, children, educators. Are these changes wanted? Mitigation needed?	Ilkka TUOMI Chief Scientist, Meaning Processing Ltd Xenia ZIOUVELOU Associate Researcher, National Centre for Scientific Research “Demokritos”, Head of AI Politeia Lab	6
	Group 4 – Prevention What mechanisms for remedy/redress are needed to remove harm biases and opacity in automated decisions?	Barbara WASSON Professor and Director of the Centre for the Science of Learning and Technology, University of Bergen Wayne HOLMES Professor, University College London, Institute of Education, Knowledge Lab	7
	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?	Jen PERSSON Director, Digital Defend Me Veronica STEFAN Founder of Digital Citizens Romania	1
12.15 – 13.00	Reporting to the plenary and Q&A	Group rapporteurs	1
13.00 – 14.15	Lunch break		

Day 1 – Thursday, 24 October 2024 (cont'd)		
Time	Title Speaker	Room
14.15 – 15.45	Safeguarding users of AI in education A plurality of perspectives	1
14.15 – 14.25	Unique cases of children and education – Key areas for regulation of AI in education and related challenges Christian M. STRACKE Coordinator for Cloud Strategy and AI&ED Research University of Bonn	
14.25 – 14.30	Introducing perspective statements and engagement Beth HAVINGA Managing Director, Connect EdTech	
14.30 – 14.35	Tanja REINLEIN Head of the Department “Vocational Education, Teaching and Learning in the Digital World, Prevention and Integration, International Affairs”, Ministry of Schools and Education of the State of North Rhine-Westphalia Germany	
14.35 – 14.40	Adam LIWAK Officer, Malta Further and Higher Education Authority Malta	
14.40 – 14.45	Nick NICHOLAS Australia Education Services (pre-recorded) Australia	
14.45 – 15.00	Engagement summary / Q&A Part 1	
15.00 – 15.05	Lauren PRAY Executive Committee Member, European Students’ Union	
15.05 – 15.10	Isidora PETKOVIĆ Youth Initiative for Human Rights Serbia	
15.10 – 15.15	Jola KEPI Centre for School Leadership for Principals Albania	
15.15 – 15.40	Engagement summary / Q&A Part 2	
15.40 – 16.00	Coffee break	
16.00 – 17.00	Identifying appropriate components of regulation of AI in education	1
16.00 – 16.10	New legal instrument: why needed, why now? Barbara WASSON Director of the Centre for the Science of Learning and Technology, University of Bergen	
16.10 – 16.20	Why is AI regulation needed? Chiara FINOCCHIETTI Director, CIMEA	
16.20 – 16.30	Perspectives on possible legal scope: spotlight on Slovenia Borut STOJILKOVIĆ Undersecretary and Policy Adviser Ministry of Higher Education, Science and Innovation Slovenia	
16.30 – 16.40	Norway’s approach to the regulation of AI in the education sector Lars SOLLESNES Senior Adviser, Ministry of Education and Research of Norway Norway	
16.40 – 16.50	Towards embedding responsible AI and child rights in education: co-creation with young people to identify priorities in AI regulation Ayça ATABEY Post-doctoral researcher at University of Edinburgh and consultant at the Digital Futures for Children centre, London School of Economics and Political Science (LSE)	
16.50 – 17.15	Reflections and call to thought before Day 2 Beth HAVINGA Managing Director, Connect EdTech	
17.15 – 18.30	Networking drinks – Courtesy of the Council of Europe	
18.30	End of Day 1	

Day 2 – Friday, 25 October 2024		
Time	Title Speaker	Room
8.30 – 9.00	Coffee and networking	
9.00 – 9.20	Day 1 review Day 2 outcomes	1
9.00 – 9.10	Recap of Day 1: outstanding questions Beth HAVINGA Managing Director, Connect EdTech	
9.10 – 9.20	Defining outcomes of Day 2 Ahmet-Murat KILIÇ Head of the Digital Transformation Unit, Council of Europe	
9.20 – 9.30	Keynote “A critical perspective of AI, democracy and education” Matjaž GRUDEN Director for Democracy, Council of Europe	
9.30 – 9.45	Family picture Networking activity	
9.45 – 10.45	Why is AI regulation needed? Context keynotes	1
9.45 – 9.55	Artificial intelligence regulation: a special case for education Julija KALPOKIENĒ Practising Lawyer and Lecturer and Researcher, Advokatēs Julijos Kalpokienēs kontora (Law Firm) and Vytautas Magnus University Malgorzata CYNDECKA Associate Professor University of Bergen	
9.55 – 10.05	What and where we need to regulate AI in education Andrea TOGNONI Head of EU, 5Rights Foundation Belgium	
10.05 – 10.15	Regulation of AI in education: challenges from the CNIL’s perspective Elodie WEIL CNIL Privacy Counsel – Department of Governmental Affairs France	
10.15 – 10.20	Overview of existing AI challenges and regulations Kristina ISHMAEL former Deputy Director at Department of Education Office of EdTech (pre-recorded) United States of America	
10.20 – 10.30	Regulation steering AI in education Eva NAVE Legal and Policy Adviser to the Cabinet of the Secretary of State for Science (SEC), Ministry of Education, Science and Innovation (MECI) Portugal	
10.30 – 10.40	Integrating student and teacher perspectives in AI policy for education Estelle CIESLA Research Assistant, Stanford University France	
10.40 -10.45	Q&A	
10.45 – 11.05	Coffee break	
11.05 – 13.00	Elements of the legal instrument: clarifying challenges	1
11.05 – 11.15	Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law Vadim PAK Co-Secretary to the Committee on Artificial Intelligence (CAI), Council of Europe	
11.15 – 11.25	Reminder of the clarifying challenges format Michelle DUQUETTE Community Strategist, European EdTech Alliance	

Day 2 – Friday, 25 October 2024 (cont'd)			
Time	Title	Group facilitators	Room
11.30 – 12.15	Clarifying challenges: group discussions		
Groups Themes Content	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?	Dora KATSAMORI Associate Researcher, National Centre for Scientific Research “Demokritos” Alex KAISERLIS Artificial Intelligence and Machine Learning Researcher and Educator, Instudies	2
	Group 2 – Protecting human rights of children in AI in education Should needs and risk be assessed for each individual in a single classroom, year group or school, or should educators treat children as a homogenous group?	Jen PERSSON Director, Digital Defend Me Malgorzata CYNDECKA Associate Professor University of Bergen	3
	Group 3 – The role of stakeholders in implementing and operationalising the legal instrument What will the role of all stakeholders (learners, parents, educators, school leadership and industry) be in ensuring the effective implementation of the proposed legal instrument and how should this be operationalised over what time period?	Gianluca MISURACA Executive Director Ai4gov_eu and Founder of Technology Diplomacy Julija KALPOKIENĖ Practising Lawyer and Lecturer and Researcher, Advokatės Julijos Kalpokienės kontora (Law Firm) and Vytautas Magnus University	7
	Group 4 – Opportunities and 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-enabled technologies in education?	Ilkka TUOMI Chief Scientist, Meaning Processing Ltd Irene CHOUNTA Professor of Computer Science, University of Duisburg-Essen	6
12.15 – 13.00	Reporting to the plenary and Q&A	Group rapporteurs	1
13.00 – 14.15	Lunch break		
14.15 – 15.35	Effective implementation of the legal instrument and support mechanisms		1
14.15 – 14.30	Support mechanisms initiatives policy toolbox AI literacy Quality evidence	Ron SALAJ Researcher, University of Turin Irene CHOUNTA Professor of Computer Science, University of Duisburg-Essen	
14.30 – 15.35	Group discussions		

Day 2 – Friday, 25 October 2024 (cont'd)			
Time	Title	Group facilitators	Room
Groups Themes	Group 1 – Policy toolbox on teaching and learning with and about AI	Ron SALAJ Researcher, University of Turin Ilkka TUOMI Chief Scientist, Meaning Processing Ltd	2
	Group 2 – AI literacy Higher education and recognition of qualifications perspective	Chiara FINOCCHIETTI Director, CIMEA Giselle HELEG AI expert, CIMEA Serena SPITALIERI Head of Credential Information and Evaluation Service, CIMEA	3
	Group 3 – European Reference Framework for the Evaluation of Educational Technologies Working Group	Beth HAVINGA Managing Director, Connect EdTech Lidija KRALJ Education Analyst, EduConLK	7
	Room 4 – AI literacy Critical thinking	Wayne HOLMES Professor, University College London, Institute of Education, Knowledge Lab UK Christian M. STRACKE Coordinator for Cloud Strategy and AI&ED Research University of Bonn	6
15.35 – 15.50	Coffee break		
15.50 – 16.50	Wrap-up Closing session		1
15.50 – 16.15	What is still missing? Return to plenary - Concrete summary of initial consensus areas on the legal instrument format questions still to be answered about the legal instrument and support mechanisms Beth HAVINGA Managing Director, Connect EdTech		
16.15 – 16.35	Continued engagement Introductory presentation of continued engagement ideas voting and mentimeter on engagement ideas Michelle DUQUETTE Community Strategist, European EdTech Alliance		
16.35 – 16.50	Closing remarks and the next steps Drafting of the Committee of Ministers recommendation Development of the legal instrument 3rd Working Conference Villano QIRIAZI Head of the Education Department, Council of Europe		
16.50	End of the conference		

What key issues should be addressed by a European-wide legal instrument to regulate the use of AI systems in educational contexts?

[illegible]

Day 2

differentiated interests
different legal systems
responsibility of users
social model of disability
the teacher deft rhetoric
ai system evaluation
data protection
democratic citizenship
shared governance mechanism
accountability
policy guidance
governance system
simple communication
participation
data reliability
fairness in ai
role of parents
country differences
bias mitigation
data privacy
critical thinking
educational values
allow innovation
cognitive development
diversity and equality
risk of homogenisation
manipulation
education standard
agreement
social agency
experimental use of genal
anti-competitive free ware
professional development
commercial power
inclusive
evaluation mechanisms
respect for autonomy
speed at innovation
ai assessment in principle
tech-determinism
sense of agency
equilibrium
research data
deepfake
human creativity
student use
vulnerable students
children participation
student-centered learner agency
user friendly language
privacy
ethics
literacy
agency
evidence
transparency
pedagogy
equity
rights
standards
regulation
digital rights
at or servant not master
individual autonomy
demystification as goal
social responsibility
data ownership
democracy
evaluation
flexibility
public good
ethical
need
what falls today
surveillance
de-humanisation
industry consultation
safeguarding
independence of child
decision of the student
educational value
industry power imbalance
stakeholder collaboration
learning experience
differentiated interests
different legal systems

Appendix III – Contributors

Keynote speakers

Matjaž GRUDEN, Director for Democracy, Council of Europe

Villano QIRIAZI, Head of the Education Department, Council of Europe

Ahmet-Murat KILIÇ, Head of the Digital Transformation Unit, Council of Europe

Michelle DUQUETTE, Community Strategist, European EdTech Alliance

Beth HAVINGA, Managing Director, Connect EdTech

Wayne HOLMES, Professor, University College London, Institute of Education, Knowledge Lab

Christian M. STRACKE, Coordinator for Cloud Strategy and AI&ED Research, University of Bonn

Jen PERSSON, Director, Defend Digital Me

Ron SALAJ, Researcher, Impactskills, University of Turin

Daniela HAU, Head of Innovation, Department for the Coordination of Educational and Technological Research and Innovation (SCRIPT), Ministry of Education, Children and Youth of Luxembourg

Helena VALEČIĆ, Teacher, Teacher Adviser, EU Project Manager

Martina DI RIDOLFO, Education International – European Region, European Trade Union Committee for Education (ETUCE)

Katrien ALEN, Knowledge Centre for Quality Digital Education, Flemish Department of Education and Training of Belgium

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Malgorzata CYNDECKA, Associate Professor, University of Bergen

Andrea TOGNONI, Head of EU, 5Rights Foundation

Elodie WEIL, CNIL Privacy Counsel, Department of Governmental Affairs of France

Kristina ISHMAEL, former Deputy Director at the United States Department of Education Office of EdTech (pre-recorded)

Eva NAVE, Legal and Policy Adviser to the Cabinet of the Secretary of State for Science (SEC), Ministry of Education of Portugal, Science and Innovation (MECI)

Estelle CIESLA, Research Assistant, Stanford University

Irene CHOUNTA, Professor of Computer Science, University of Duisburg-Essen

Ayça ATABEY, post-doctoral researcher at the University of Edinburgh and consultant at the Digital Futures for Children centre, London School of Economics and Political Science (LSE)

Perspective statement speakers

Tanja REINLEIN, Head of the Department of Vocational Education, Teaching and Learning in the Digital World, Prevention and Integration, International Affairs, Ministry of Schools and Education of the State of North Rhine-Westphalia

Adam LIWAK, Officer, Malta Further and Higher Education Authority

Nick NICHOLAS, Australia Education Services (pre-recorded)

Lauren PRAY, Executive Committee Member, European Students' Union

Isidora PETKOVIĆ, Youth Initiative for Human Rights, Serbia

Jola KEPI, Center for School Leadership for Principals, Albania

Barbara WASSON, Professor and Director of the Centre for the Science of Learning and Technology, University of Bergen and Researcher at the Centre for the Science of Learning and Technology (SLATE)

Chiara FINOCCHIETTI, Director, CIMEA

Borut STOJILKOVIĆ, Undersecretary and Policy Adviser, Ministry of Higher Education, Science and Innovation of Slovenia

Lars SOLLESNES, Senior Adviser, Ministry of Education and Research of Norway

Vadim PAK, Co-Secretary to the Committee on Artificial Intelligence, Council of Europe

Justine VIZIER, Project Officer, Council of Europe's Children's Rights Division

AI&ED experts and facilitators

Lidija KRALJ, Education Analyst, EduConLK

Marjana PRIFTI SKENDULI, Artificial Intelligence/Machine Learning Researcher and Assistant Professor, University of New York Tirana; Founder of AI-Albania

Ilkka TUOMI, Chief Scientist, Meaning Processing Ltd

Xenia ZIOUVELOU, Associate Researcher, National Centre for Scientific Research "Demokritos", Head of AI Politeia Lab

Veronica STEFAN, Founder of Digital Citizens Romania

Dora KATSAMORI, Associate Researcher, National Centre for Scientific Research "Demokritos"

Alex KAISERLIS, Artificial Intelligence and Machine Learning Researcher and Educator, Instudies

Gianluca MISURACA, Founding Executive Director AI4Gov, Politecnico di Milano and Universidad Politécnica de Madrid and Founder and Vice President of Inspiring Futures

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Francesca PICARELLI, Project Assistant, Council of Europe

Eva PIU, Project Assistant, Council of Europe

Petros VALAKAS, Trainee, Council of Europe

On 24 and 25 October 2024, the Council of Europe held a two-day working conference to advance ongoing efforts to regulate the use of artificial intelligence (AI) systems in education. Bringing together policy makers, experts, educators and students, the event examined legal and pedagogical challenges posed by AI and produced actionable recommendations to support its ethical use.

The rapid uptake of tools like ChatGPT has exposed significant governance gaps, particularly around data privacy, algorithmic bias and unequal access. Participants highlighted the limitations of existing frameworks in addressing the specific needs of education.

Key sessions focused on the need for a sector-specific legal instrument, the safeguarding of children's rights and the evolving roles of educators and learners in AI-integrated environments. Discussions raised concerns about algorithmic bias, disparities in access and the emotional dependency learners may develop on conversational systems. The conference underlined the need for ethical frameworks, robust regulation and transparent, accountable AI systems.

Workshops explored inclusive approaches and emphasised the importance of AI literacy and capacity building for educators. Participants reviewed a draft policy toolbox for teaching and learning with and about AI and examined the feasibility of a European reference framework for evaluating educational technologies.

The event reaffirmed the importance of international co-operation, inclusive policy making and ongoing investment in educator support. A strong consensus emerged around the need for a collaborative, human-centred approach to AI regulation in education – grounded in the Council of Europe's core values: human rights, democracy and the rule of law. The conference marked an important step towards building regulatory responses to ensure AI supports, rather than undermines, inclusive and quality education for all.

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.