

FREE RESOURCE

Is your district protected?

Twelve questions every Arkansas superintendent should be able to answer about Act 848 of 2025, with the section of the act beside each one and the full act at the end.



The day something goes wrong

A teacher pastes a student's IEP notes into a free chatbot, and a parent finds out. The first question from the board, the parent's attorney and the newspaper is the same: did the district have a policy, and was the staff trained? Act 848 is the standard they will measure you against.



The board meeting

Board members read about AI every week, and "where are we on this?" is coming. This page gives you the answer before anyone asks, in the words of the law itself.



The record

The act sets no fine. It is still a state requirement, and Legislative Audit, public records requests and parents are how a missing policy surfaces. A completed checklist with dates on it is the record you want in the file.



How to use this page

- Sit down with your technology coordinator and the district policy book. It takes about ten minutes.
- Check one box for each question. "Not sure" counts as a no until someone finds the document.
- Each question names the part of the act it comes from. The act amends Arkansas Code § 25-1-128, and the full text is in the appendix.
- Count your yes answers and read the scoring at the end. Date the page and keep it with your board minutes.

Act 848 at a glance

House Bill 1958, approved April 17, 2025, effective August 3, 2025. It amends Arkansas Code § 25-1-128. The enrolled act is reproduced at the end of this download as the General Assembly published it.

Section	What it covers	In plain words
(a)	Definitions	Defines artificial intelligence, automated decision tools, employees, public entities (school districts and their boards are named) and technology resources.
(b) (1)	Technology resources policy	Every public entity must create a policy defining the authorized use of its technology resources.
(b) (2)	Cybersecurity policy	Based on State Cybersecurity Office standards. Political subdivisions are exempt from this item.
(b) (3)	AI policy	Must define the authorized use of AI and automated decision tools, and require an authorized human to make every final decision.
(b) (4)	Training program	For all employees, on all three policies, including the appropriate use of AI in deciding an outcome at work.
(c)	Public access and model policies	State entity policies are available on request. The Department of Education, with the State Cybersecurity Office, develops policies for each type of educational institution.
(d)	Four prohibitions	No personal political opinions to elected officials outside job duties, no lobbying on personal opinions, no illegal activity, and no overriding security procedures.
(e)	Discipline	Every public entity must create a disciplinary procedure for violations.

THE SELF-CHECK

Twelve questions, one page

Check one box on each line. Section numbers refer to Arkansas Code § 25-1-128 as amended by Act 848.

A Policies on paper 7 questions

#	Question	Act 848, § 25-1-128	Your answer
1	Has the board adopted a written technology resources policy that defines the authorized use of the district's technology resources?	(b) (1)	☐ Yes ☐ No ☐ Not sure
2	Does the district have a cybersecurity policy based on the State Cybersecurity Office's standards and guidelines? The act exempts "political subdivisions" from this item. Ask your attorney whether that applies to your district.	(b) (2) (A)	☐ Yes ☐ No ☐ Not sure
3	Has the board adopted a written artificial intelligence and automated decision tool policy?	(b) (3)	☐ Yes ☐ No ☐ Not sure
4	Does that policy define which AI tools employees may use, and for what?	(b) (3) (A)	☐ Yes ☐ No ☐ Not sure
5	Does the policy require an authorized human employee or designee to make every final decision, whatever an AI tool recommends?	(b) (3) (B)	☐ Yes ☐ No ☐ Not sure
6	Does the policy prohibit the four uses the act names: expressing personal political opinions to elected officials, lobbying on a personal opinion, illegal activity, and overriding the district's security procedures?	(d) (1) to (4)	☐ Yes ☐ No ☐ Not sure
7	Does the district have a disciplinary procedure for violations of these policies?	(e)	☐ Yes ☐ No ☐ Not sure

B Training and proof 4 questions

#	Question	Act 848, § 25-1-128	Your answer
8	Does the district have a training program for all employees covering the technology resources policy, the cybersecurity policy and the AI policy?	(b) (4) (A)	☐ Yes ☐ No ☐ Not sure
9	Does that training cover the appropriate use of AI tools when an employee is deciding an outcome in his or her job?	(b) (4) (A)	☐ Yes ☐ No ☐ Not sure
10	Does every employee receive it: licensed and classified staff, new hires, and people hired in the middle of the year?	(b) (4) (A) "all employees"	☐ Yes ☐ No ☐ Not sure
11	Can you produce the records this afternoon: who was trained, on what, and on which date? The act requires the program. The records are how you prove it.	Proof of (b) (4)	☐ Yes ☐ No ☐ Not sure

C Public and current 1 question

#	Question	Act 848, § 25-1-128	Your answer
12	Could the district hand its technology and AI policies to a parent who asked for them this week?	(c), and the Arkansas FOIA	☐ Yes ☐ No ☐ Not sure

Completed by _____

Date _____

Yes answers out of 12 _____

WHAT A NO MEANS

Every gap has a fix

None of these take more than a semester, and the first two are the ones a parent, a board member or an auditor will ask about.

What your score means

12 yes

Your district has what the act asks for on paper and in training. Keep the records current and review the policy each summer.

9 to 11 yes

You are close. Most districts in this range have the policy and are missing the training program or the records that prove it.

8 or fewer

The gaps are real, and they are fixable in one semester: adopt the model policy, then train every building on a calendar.

What a no means, part by part

A A no in Part A

The board has not adopted what the act requires, or the policy is missing a piece. The Department of Education is directed to develop model policies for school districts, and the Arkansas School Boards Association publishes model policies many districts adopt. Compare yours against the questions, fill the gaps, and put it on the next board agenda.

B A no in Part B

Training is the item most districts miss, because a policy is one vote and training is every employee in every building. The fix is a calendar: one session per building for licensed staff, separate sessions for office staff, nurses, aides and operations, and a short virtual session for anyone hired after that. Sign-in sheets and certificates go in the file.

C A no in Part C

Post the policies on the district website next to the student handbook, and give the front office a copy. A parent who asks and gets an answer the same day has no story to tell.

Beyond the act: the two questions that protect you most Not scored

#	Question	Where it comes from	Your answer
A	Does every employee know what never goes into an AI tool: student names and ID numbers, grades, IEP, 504 and health information, discipline records, home addresses, and personnel files?	FERPA, and your own policy	☐ Yes ☐ No ☐ Not sure
B	Has someone checked the privacy settings on each approved tool so that district data is not used to train it, and no chats are shared by public link?	Your AI policy; see our Privacy Settings Guide	☐ Yes ☐ No ☐ Not sure

Appendix: the act itself

The five pages that follow are Act 848 of 2025 as the General Assembly enrolled it, with the stricken and underlined language that shows what changed. Keep them with this checklist so the policy committee and the board are reading the same text.

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State of Arkansas

As Engrossed: S4/9/25

95th General Assembly

A Bill

Regular Session, 2025

HOUSE BILL 1958

By: Representative S. Meeks

By: Senator J. English

For An Act To Be Entitled

AN ACT TO REQUIRE PUBLIC ENTITIES TO CREATE A POLICY
CONCERNING THE AUTHORIZED USE OF ARTIFICIAL
INTELLIGENCE; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE PUBLIC ENTITIES TO CREATE A
POLICY CONCERNING THE AUTHORIZED USE OF
ARTIFICIAL INTELLIGENCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 25-1-128(a) – (e), as amended by Acts 2025,
No. 205, concerning the creation of a policy regarding use of technology
resources and cybersecurity by public entities, are amended to read as
follows:

(a) As used in this section:

(1) "Artificial intelligence" means a machine-based system that
can, based on a given set of human-defined objectives, make predictions,
recommendations, or decisions influencing a real or virtual environment;

(2) "Automated decision tool" means a system or service that
uses artificial intelligence and has been specifically developed and
marketed, or specifically modified, to make or to be a controlling factor in
making consequential decisions;

~~(1)~~(3) "Employee" means a person employed by a public entity;

~~(2)~~(4) "Public entity" means an instrumentality funded in whole
or in part by taxpayer funds, including without limitation:

(A) The Department of Agriculture;



- (B) The Department of Commerce;
(C) The Department of Corrections;
(D) The Department of Education;
(E) The Department of Energy and Environment;
(F) The Department of Finance and Administration;
(G) The Department of Health;
(H) The Department of Human Services;
(I) The Department of Inspector General;
(J) The Department of Labor and Licensing;
(K) The Department of the Military;
(L) The Department of Parks, Heritage, and Tourism;
(M) The Department of Public Safety;
(N) The Department of Transformation and Shared
Administrative Services;
(O) The Department of Veterans Affairs;
(P) The office of a constitutional officer;
(Q) A political subdivision of the state;
(R) A public school district;
(S) A public school district board of directors;
(T) An open-enrollment public charter school;
(U) An institution of higher education;
(V) The State Highway Commission;
(W) The Arkansas Department of Transportation; or
(X) The Arkansas State Game and Fish Commission;

~~(3)~~(5) "State educational entity" means an entity with an educational purpose that is funded in whole or in part by taxpayer funds that is, including without limitation:

- (A) A public school district;
(B) A public school district board of directors; and
(C) An open-enrollment charter school;

~~(4)~~(6) "State entity" means:

- (A) The Department of Agriculture;
(B) The Department of Commerce;
(C) The Department of Corrections;
(D) The Department of Education;
(E) The Department of Energy and Environment;

- (F) The Department of Finance and Administration;
- (G) The Department of Health;
- (H) The Department of Human Services;
- (I) The Department of Inspector General;
- (J) The Department of Labor and Licensing;
- (K) The Department of the Military;
- (L) The Department of Parks, Heritage, and Tourism;
- (M) The Department of Public Safety;
- (N) The Department of Shared Administrative Services;
- (O) The Department of Veterans Affairs;
- (P) The State Highway Commission;
- (Q) The Arkansas Department of Transportation;
- (R) The Arkansas State Game and Fish Commission; and
- (S) An institution of higher education; and

~~(5)~~(7) "Technology resources" means:

(A) The machines, devices, and transmission facilities used in information processing, including computers, word processors, terminals, telephones, cables, software, and related products;

(B) The devices used to process information through electronic capture, collection, storage, manipulation, transmission, retrieval, and presentation of information in the form of data, text, voice, or image and includes telecommunications and office automation functions;

(C) Any component related to information processing and wired and wireless telecommunications, including data processing and telecommunications hardware, software, services, planning, personnel, facilities, and training;

(D) The procedures, equipment, and software that are designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit information, and the associated personnel, including consultants and contractors; and

(E) All ~~electronic mail~~ email accounts issued by a public entity.

(b) A public entity shall:

(1) Create a technology resources policy that defines the authorized use of technology resources for the public entity;

(2)(A) Develop a cybersecurity policy for all technology

resources of the public entity based on the standards and guidelines set by the State Cybersecurity Office.

(B) Subdivision (b)(2)(A) of this section shall not apply to political subdivisions of the state; ~~and~~

(3) Create an artificial intelligence and automated decision tool policy that:

(A) Defines the authorized use of artificial intelligence and automated decision tools for the public entity; and

(B) Requires an authorized human employee or designee to make any final decision in the course of his or her employment, regardless of what artificial intelligence or automated decision tool the employee or designee recommends; and

~~(3)(4)(A)~~ Develop a training program for all employees of the public entity concerning the technology resources policy, and the cybersecurity policy, and the artificial intelligence and automated decision tool policy, including training on the appropriate use of artificial intelligence and automated decision tools in deciding an outcome in the course of an employee's employment.

(B) A political subdivision of the state is not required to develop a training program under this section for a cybersecurity policy.

(c)(1) The technology resources policy and artificial intelligence and automated decision tool policy for each state entity shall be available to the public upon request.

(2) The Department of Education, in coordination with the State Cybersecurity Office, shall:

(A) Develop technology resources and artificial intelligence and automated decision tool policies that shall be used by each type of state educational institution; and

(B) Make the policies developed under subdivision (c)(2)(A) of this section available to the public upon request.

(d) Each technology resources and artificial intelligence and automated decision tool policy shall include prohibitions on the use of a public entity's technology resources and artificial intelligence and automated decision tools, including without limitation that a public entity's technology resources shall not be used to:

(1) Express a personal political opinion to an elected official

1 unless the opinion is:

2 (A) Within the scope of the employee's regular job duties;
3 or

4 (B) Requested by an elected official or public entity;

5 (2) Engage in lobbying an elected official on a personal opinion
6 if the employee is not a registered lobbyist for the public entity;

7 (3) Engage in illegal activities or activities otherwise
8 prohibited by federal law or state law; or

9 (4) Intentionally override or avoid the security and system
10 integrity procedures of the public entity.

11 (e) A public entity shall create a disciplinary procedure for a
12 violation of the public entity's technology resources and artificial
13 intelligence and automated decision tool policy concerning authorized use of
14 technology resources.

15
16 /s/S. Meeks
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19 **APPROVED: 4/17/25**
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