



March 24, 2025

The Honorable Rebecca Bauer-Kahan  
1020 N Street  
Room 156A  
Sacramento, CA 95814

RE: AB 1064, the Leading Ethical AI Development (LEAD) for Kids Act

Dear Chair Bauer-Kahan,

We write to express concerns about AB 1064, the Leading Ethical AI Development (LEAD) for Kids Act, as introduced. We recognize and support the importance of implementing safeguards and guardrails to protect children's safety and well-being in the digital age. We do, however, have several concerns about the current framework of this bill that we hope can be addressed as the bill moves forward.

First and foremost, we fully agree that some AI technologies, especially those used by children, should have guardrails in place to ensure the safe and responsible use of these tools. We appreciate the early work to identify a risk-based approach for establishing those guardrails and are hopeful that these areas continue to get refined as the bill makes its way through the legislative process. For example, the use of AI to perform a function related to pupil assessment may differ on the level of estimated risk based on the type of assessment. A tool used for the grading of a multiple choice test where there is only one correct answer versus a dyslexia screening tool that suggests interventions will likely have differing estimated risks.

AI regulations from the Board could inadvertently add more complexity and burden to our already overwhelmed school systems. AI is not a one-size-fits-all solution, and its integration into classrooms needs to be thoughtful. Tools designed for use inside the classroom have different use-cases than those designed outside of the classroom. If the regulations from the LEAD for Kids Standards Board (Board) are not thoughtfully and inclusively designed for education, these regulations may lead to negative consequences in the education space. We respectfully request special considerations for education be made including engagement with stakeholders in the education community as this bill is considered.

We are concerned that the representation on the Board does not sufficiently capture all the stakeholders impacted by this policy area. We recommend including families, schools, and representatives from technology companies building AI tools intended to be used by children. Without representation from those building and using these products, we fear any regulations or guidance issued by the Board will not adequately capture the needs of children and students and provide implementable guardrails while also ensuring that AI tools are designed to further educational objectives. Additionally, the Board should be provided with sufficient staffing and funding to complete the required regulations on schedule to allow for sufficient time for companies to comply.

We believe that protecting children's safety in the use of AI is an important goal and are hopeful that continued work on this bill will improve the text. It is essential that we ensure policies are developed in a way that reflects the diverse needs of all children and does not inadvertently create further challenges.

Thank you for considering our concerns.

Respectfully,

Abigail Wilson  
State Policy Manager  
Software and Information Industry Association (SIIA)

