

Artificial Intelligence Governance in Florida Education

The Policy Landscape After the 2026 Legislative Session

TSG Advisors – Education

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INTRODUCTION

A session without a statute

Artificial intelligence is becoming part of everyday teaching, learning, student services, and administration across Florida education. Yet while adoption has accelerated, statewide policy has not kept pace.

The 2026 legislative session concluded without enacting a comprehensive framework for AI in education. Since then, however, the Florida Department of Education has begun addressing AI through administrative rulemaking for K–12 schools, while colleges and universities remain largely responsible for developing their own institutional policies.

This paper examines what happened during the 2026 legislative session, what has happened since, and what districts and institutions should consider while Florida's policy framework continues to evolve.

LEGISLATIVE RECORD

Themes from 2026

Florida's 2026 legislative session produced significant discussion about artificial intelligence in education, but no statewide framework.

Lawmakers considered four proposals addressing different aspects of AI, including statewide standards for K–12 schools, AI instruction in both K–12 and higher education, governance for public colleges and universities, and broader consumer protections related to AI. None of the proposals became law.

The legislative record reveals three important themes.

First, there was broad recognition that artificial intelligence presents important policy questions for education. The proposals introduced during the session addressed issues ranging from digital literacy and academic integrity to student privacy, instructional use, and institutional governance. The conversation was not whether AI should be addressed, but how.

Second, K–12 and postsecondary education received different levels of attention. While several proposals focused on K–12 instruction and statewide policy, the only bill dedicated exclusively to postsecondary

governance never advanced. As a result, colleges and universities entered the 2026–27 academic year without state guidance specific to institutional AI governance.

Finally, the absence of legislation should not be mistaken for an absence of policy activity. Although the Legislature did not enact an AI statute, the Department of Education soon began addressing AI through administrative rulemaking for K–12 schools, creating a different trajectory for school districts than for colleges and universities. That development has become the defining feature of Florida's AI policy landscape.

ADMINISTRATIVE ACTION

How the K-12 gap is closing

Although the Legislature did not enact an AI statute in 2026, policy development did not stop. In June, the Florida Department of Education initiated rulemaking to require school districts and charter schools to address artificial intelligence within their internet safety policies. Rather than creating a new AI-specific rule, the Department proposed incorporating AI into Rule 6A-1.0957, F.A.C.—the existing rule governing district internet safety policies.

This approach is significant for two reasons. First, it relies on existing legal authority related to student privacy and internet safety rather than new legislation. Second, it places AI within a governance process that districts already follow. School boards annually review and approve internet safety policies, meaning AI oversight can become part of an established compliance cycle without creating an entirely new regulatory framework.

For K-12 AI, the department extended an existing student-privacy rule to a new technology rather than creating a new policy area.

DIFFERENT PATHS FOR K-12 AND HIGHER EDUCATION

The Department's rulemaking may also signal a broader divergence between Florida's K-12 and postsecondary sectors. K-12 has an established regulatory framework through which AI expectations can be incorporated. Higher education does not. Unless similar action is taken by the State Board of Education, the Board of Governors, or the Legislature, colleges and universities will likely continue to develop AI governance independently.

The proposed rule is also narrower than many of the legislative proposals considered in 2026. It focuses on internet safety and student privacy—not instructional use, academic integrity, faculty development, or institutional governance. That leaves districts with a choice: treat the amendment as a compliance requirement or use it as the foundation for a broader AI governance strategy.

CONSIDERATIONS · DISTRICTS AND INSTITUTIONS

Practical Considerations for Education Leaders

Regardless of whether additional state action occurs, districts and institutions can begin strengthening AI governance using existing policies, governance structures, and institutional processes.

1. **Establish clear governance.** Assign executive ownership, create a cross-functional leadership group, and define institutional responsibility for AI policy.

2. **Clarify expectations.** Review student codes of conduct, academic integrity policies, instructional guidance, and faculty expectations to ensure they address AI consistently.
3. **Know what technologies are being used.** Develop an inventory of AI-enabled tools, evaluate potential risks, and incorporate AI considerations into procurement and vendor management.
4. **Invest in people.** Provide professional development for faculty, staff, and administrators so governance is supported by consistent institutional practice.
5. **Coordinate across partners.** For dual enrollment and other collaborative programs, clarify which policies govern AI use and how student information will be protected.

OUTLOOK

The 2027 session

Three observations can reasonably be offered about the coming session, and one qualification applies to all of them.

- 01 **AI will return to the Legislature**
Artificial intelligence is unlikely to disappear from the Legislature's agenda. The number and scope of proposals introduced in 2026 suggest continued interest in establishing a statewide framework, even if lawmakers ultimately disagree on the approach.
- 02 **The K-12 framework will likely deepen before it is legislated**
K-12 policy will likely continue to evolve more quickly than postsecondary policy. The Department of Education has already demonstrated that AI can be addressed through existing rulemaking authority, creating opportunities for additional guidance before new legislation is enacted.
- 03 **Postsecondary requires a decision not yet made**
Higher education remains largely responsible for charting its own course. Unless statewide action is taken by the Legislature, the State Board of Education, or the Board of Governors, colleges and universities will continue to develop AI governance at the institutional level..

CONCLUSION

Build Governance Now

Florida entered the 2026-27 academic year without a comprehensive statutory framework for artificial intelligence in education. Instead, AI governance is emerging through a combination of administrative action, institutional leadership, and local policy development. K-12 districts are beginning to receive statewide direction through rulemaking, while colleges and universities continue to rely primarily on institutional governance.

For education leaders, the implication is clear: institutional governance should not wait for state policy. Institutions that establish thoughtful governance now—clarifying expectations, reviewing policies, engaging stakeholders, and strengthening oversight—will be better positioned regardless of how Florida's policy landscape evolves.

The future of AI governance in Florida will be shaped not only in Tallahassee, but also in school districts, colleges, and universities across the state.

ABOUT TSG ADVISORS – EDUCATION

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Grounded in deep experience across the education sector, the TSG Advisors – Education team brings subject matter expertise and a shared commitment to improving outcomes through collaborative, evidence-informed approaches.

For questions about this analysis or to learn how TSG Advisors – Education can support your institution's AI governance work, please reach out to our Education practice.

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