Center for Education Policy Research
HARVARD UNIVERSITY

STRATEGIC DATA PROJECT
2026 CONVENING

PROOF POSITIVE

Strategic AI Governance and Vendor Evaluation

Andrea Claver - Project Manager
EDSAFE AI Alliance

Andrea Claver

Project Manager, EDSAFE AI Alliance

Joliet, IL

andrea@innovateedunyc.org

Agenda

1. EDSAFE Overview
2. The “Why”
3. Essential Questions
4. The AI Data Use and Protection Toolkit
5. Worksheet Walkthrough
6. Q & A

Key Objectives

By the end of this session, participants will be able to:

- evaluate AI vendors by applying the SAFE benchmarks and Project Unicorn's interoperability standards to ensure technical and ethical alignment.
- identify "no-go" contract clauses to protect district intellectual property and student data privacy.
- develop a roadmap for a cross-functional governance team to manage long-term AI integration.

EDSAFE AI ALLIANCE

Who We Are

Founded in 2020, the EDSAFE AI Alliance is a global initiative led by InnovateEDU and powered by a coalition of organizations representing stakeholders across the education sector to provide global leadership for developing a safer, more secure, more equitable, and more trusted AI education ecosystem through a focus on research, policy, and practice.

The work is anchored in the **SAFE framework** - safety, accountability, fairness and transparency, and efficacious use of AI in education.

Our Mission

We aim to build and develop an ecosystem that reflects the best practices for AI use in education. By joining forces and complementing rather than competing with stakeholders in the space, we can address one of our time's most pressing educational policy challenges.

With a shared mission to leverage AI to create better student outcomes, save time for teachers, and increase efficiencies for stakeholders, we've created an uncommon alliance dedicated to furthering safe, accountable, fair, and efficacious AI use within the K-12 education space.

EDSAFE AI **SAFE** Framework

The work of the EDSAFE AI Alliance centers on the SAFE Benchmarks Framework.

The framework creates a policy process and roadmap for the essential issues in creating a SAFE AI ecosystem. The framework was built starting in 2021 and brings together more than 24 global AI safety, trust and market frameworks. The EDSAFE AI SAFE Benchmarks were built specifically for the AI use case in education.

Frameworks and benchmarks are essential to innovation as a means of targeted guidance, focusing disparate efforts towards shared language, objectives, and outcomes and ensuring the development of appropriate guidelines and guardrails for use.

S — **SAFETY**
Security, Privacy, Do Not Harm

A — **ACCOUNTABILITY**
Defining Stakeholder Responsibilities

F — **FAIRNESS**
Equity, Ethics, and Mitigating Bias

E — **EFFICACY**
Improved Learning Outcomes

Learn more at edsafeai.org/safe

EDSAFE AI ALLIANCE

SAFE Procurement:

What systems does your organization have in place to address SAFETY when navigating procurement?

Who is ACCOUNTABLE for this process?

EDSAFE Policy Labs

EDSAFE AI ALLIANCE

- Collaborative network of states and districts co-developing practical AI policies grounded in the SAFE Framework
- 25-26 policy labs are comprised of 10 states and 17 district & charters
- Policy Labs participants collaborate through a series of 1:1 meetings, convenings with all cohort members, and an annual, in-person summit.

In this work, we have developed the idea of a "**Policy Stack,**" which has anchored a policy development progression and approach.

EDSAFE AI ALLIANCE®

PROJECT UNICORN Interoperability Certification

EDSAFE AI ALLIANCE

- Applications are ranked on their level of interoperability on a scale from 1 to 4, as per the **Project Unicorn Interoperability Rubric**.
- Each question will be scored on a scale based on the response and artifacts/evidence provided.
- The total score will determine the Product Certification tier an application has earned.
- Each submission receives an Open Badge based on the final ranking

Badge to be featured on: EdSurge PRODUCT INDEX | LEARN PLATFORM | EDUCATING ALL LEARNERS TECH TOOLS LIBRARY

EDSAFE AI
ALLIANCE

AI in Education: Negotiating for Our Future

Considerations for the School Districts in Considering Large Scale AI Model Deals

The Allure of "Early Access"

"Be the first," "revolutionary," "free pilot"

“don’t leave your students behind”…

These are powerful words.

But what is the real cost?

The "Free for Users" Trend

The "Free" Pitch

Vendors offer "early access" or "pilot programs" at no cost. They promise to put powerful new tools in the hands of teachers (and maybe students) for free. It sounds like a risk-free opportunity to innovate.

The "Free" Reality

"Free" is the price they pay *you* to acquire your most valuable asset: your learning process data. You are not the customer; you are their unpaid R&D partner.

Do Not Be Bewitched: Common Traps

Data Ownership

Vague terms that give the vendor rights to *your* teacher data or IP, often in perpetuity or through deidentification for their own commercial use.

Hidden Costs

"Free" pilots that roll into expensive, contracts with no exit clause or transparent pricing. **The trend we are observing is one year deals with no guaranteed access or rate beyond one year.**

Lack of Transparency

"Black box" algorithms. You don't know why it gives an answer, and you can't audit it for bias or accuracy.

Why Is This Data So Valuable?

Understanding Your Newest (or Oldest), Most Critical Asset

It's Not Just Grades or even PII Anymore

Old Data (Outcomes)

This is data that shows *what* happened.

- Final test scores
- Report card grades
- Enrollment numbers
- Attendance records

New AI Data (Process)

This is data that shows *how* learning happens.

- Revision history in an essay
- Time spent on a math problem
- Common misconceptions flagged
- Queries and prompts from teachers and student

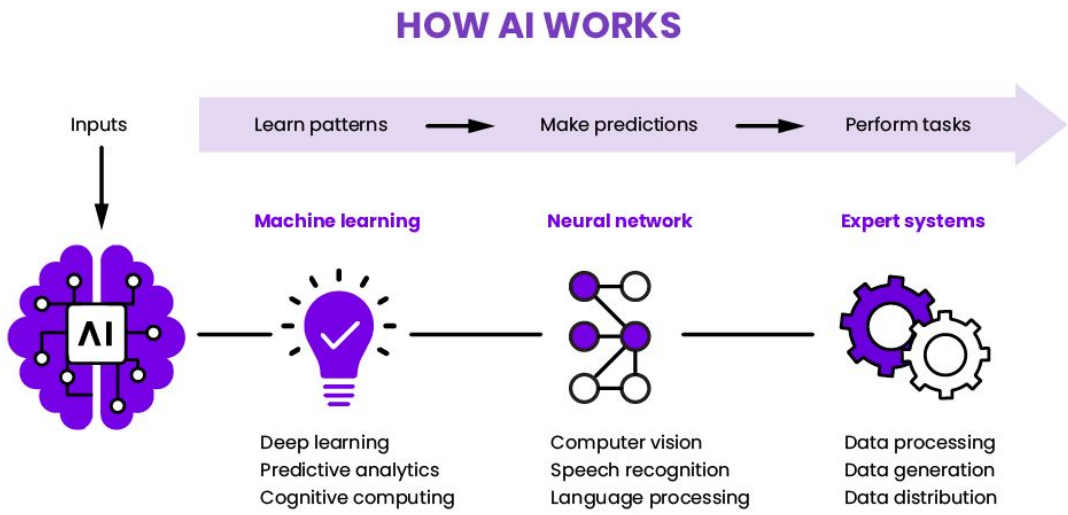
Your Data: The Engine for AGI

The Gold Mine: "Learning Process Data"

This "process data" is the most valuable asset you have in any deal negotiation. **They need it more than you need their tool.**

It is the raw material to *train* general purpose or adaptive models.

It reveals how educators think and coach students or create lesson to address struggle and help students succeed. Companies are asking *you* to give them the asset they need to build their next iteration of a faster, smarter and more human model - by modeling it off how humans learn.



What Else Vendors Gain From Your Data

100x

Potential Value Multiplier

Product Refinement

They use your district as a free R&D department to fix their model's errors and improve its accuracy.

New Products

They package insights from *your* data and sell it as a new, "proven" product to other districts.

Market Dominance

The more data they have, the harder it is for anyone else to compete, locking you into their ecosystem.

Not All AI Models Are Equal

Purpose-Built for Education

These models are designed with pedagogy and safety first. They:

- Integrate learning science
- Prioritize **student welfare** and safety
- Are built to prioritize **human interaction**
- Function as **pro-social AI** to support collaboration

Commercial "Wrappers"

These are often a simple user interface (UI) placed on top of a general-purpose, commercial LLM. They are not purpose-built for students, may lack learning science, and offer little to no enterprise control over the core model.

The Negotiator's Toolkit

Key Questions to Ask Your Potential Partner

Key Questions to Ask: DATA

Ownership: Who *legally* owns all the data, including the 'learning process' data and metadata?

Data Use: Will *any* of our student or teacher data be used to train or improve your commercial model?

Deletion: What is the *exact* process for total data deletion (a 'scorched earth' clause) upon contract termination?

Portability: How can we export all our data in a standard, usable format if we choose to leave?

Model Type: Is this a purpose-built education model or a 'wrapper' around a general commercial LLM?

Key Questions to Ask (2/2): TERMS

Liability: Who is legally and financially liable for AI hallucinations, biased content, or a data breach?

Pilot Terms: Does this 'free' pilot auto-renew into a paid contract, and what are the exact terms?

Pricing: Can you provide a clear, fixed pricing structure for the entire length of the term? What about model types - credits required for deep research or other model activities like narrow AI?

Exit Clause: What is our clear, no-penalty exit clause if the product does not meet our needs?

Sub-processors: Who are all the third-party sub-processors that will also have access to our data? Where are they located?

THE NO GOS

- Intellectual property rights are not outlined or constrained
- Dispute resolution is arbitration
  - Arbitration in your non domiciled state as a means of dispute resolution
- Offshoring data introduces significant risks by subjecting sensitive information to foreign legal jurisdictions that may have weaker data protection laws and expose it to additional cybersecurity threats.
- No fault clauses
- Model gets ownership of deidentified data
- Signing their data privacy agreement or DPA vs yours

Under What Conditions Could This Be Possible?

- You own all data - inputs and outputs
- Deal structures which allow multiple models within the ecosystem - the reality is some models are better then others for different types of tasks
- Agreement to sign your district data privacy agreement
- An audit protocol for the models
- Professional development support
- Clear financial terms and financial modeling with monthly updates (and an ability to turn off features) to ensure you can live within resource constraints

The Worksheet

bit.ly/ai_data_worksheet

Resources

EDSAFE AI ALLIANCE

- **https://www.edsafeai.org/**
- **https://www.edsafeai.org/resource-library**
- AI Data Use and Protection Slide Deck
  bit.ly/ai_data_deck
- AI Data Use and Protection Checklist
  bit.ly/ai_data_checklist
- AI Data Use and Protection Worksheet
  bit.ly/ai_data_worksheet
- EDSAFE Industry Council
  https://www.edsafeai.org/industry-council
- **andrea@innovateedunyc.org**

The Guiding Principle

"If you are not paying for the product,
you are the product.

Questions?

Thank you for your attention.

Policy Lab Resources

Connect with EDSAFE

Thank You