

Key Findings Snapshot: District AI Policy Scan

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1. The national picture

Start above the districts. A student accused of using AI needs two things from the state. First, a written rule letting them dispute the grade itself and not just a suspension. Second, discipline numbers published by race and by offense type together, so an uneven pattern could be seen at all. We scanned all 52 jurisdictions for both.

What an accused student can actually do about it

Two things could help a student accused of using AI. Recourse: a written rule letting them dispute the grade itself, not just a suspension. Visibility: discipline data published by race and by category together, so an uneven pattern could be seen at all.

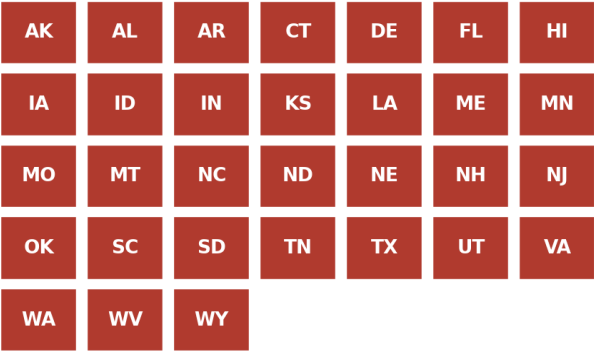
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jurisdictions meet the standard:

a full right to appeal the grade and the combined data together.
Every jurisdiction falls somewhere short of it:

31

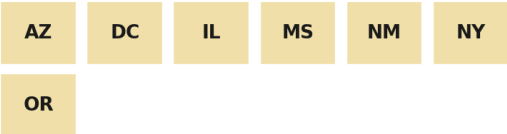
with neither one. No right to appeal the grade, and no suspension data published by race and offense type together.



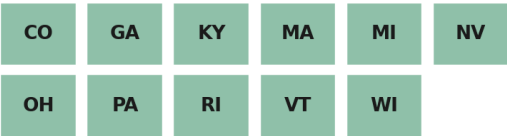
18

with one protection, not both:

a qualified right to appeal the grade only (7)



publishes the combined data only (11)



1

with both: appeal right and the data.



2

with a full right in state law. No combined data.



Figure 1. No jurisdiction offers both a full right to appeal a grade and discipline data published by race and offense type together. 52 jurisdictions, August 2026. A state-by-state map of the same data appears in the appendix (Figure A1).

- **Two jurisdictions give a student a right to appeal a grade.** Maryland and Puerto Rico. Eight more give a qualified right, hedged by conditions or limited to specific circumstances (for example, the grade can be changed only for a

clerical error, the appeal must be brought by a parent, or the district may opt out of grade changes entirely). In Figure 1 these are the seven tan states plus California. In the remaining 42 there is no state-level right to dispute a grade at all.

- **In 50 of 52, a student is owed a hearing only when the school removes them.** State law guarantees a hearing before a suspension or an expulsion. It says nothing about a failing grade. Only two jurisdictions write due process broadly enough to cover an academic penalty: Puerto Rico and the District of Columbia. Puerto Rico is the only jurisdiction that has a full right to dispute a grade and due process broad enough to reach an academic penalty at the same time. The District of Columbia has the broad due process but only a qualified right to dispute a grade. Maryland has the full right, but its due process still covers removal alone.
- **Discipline data is published, but not in the form that would reveal this.** 39 jurisdictions publish suspensions by race and 38 publish them by offense type, but only 12 publish the two together. In Figure 1 these are the eleven green states plus California. Without that, a rise in academic-dishonesty findings against Black students is not visible in any public dataset.
- **31 of 52 have neither.** No rule to invoke and no record that would show a pattern if one formed. Virginia is one of the 31. No jurisdiction anywhere has both a full right to dispute a grade and discipline numbers published by race and offense type together. California comes closest and is the only one to manage even that, with the numbers published both ways and a right to dispute a grade that is qualified rather than full.
- **What the states write shows up in what the districts write.** California's state model policy requires clear criteria for rebutting claims of inappropriate AI use. Virginia's guidance directs districts toward an honor code with real consequences and is silent on appeal. Those two sentences turn up, almost verbatim in effect, in the district patterns below.

Where those 31 jurisdictions sit on discipline disparity

The 31 are not a random third of the country. Set them against the federal Civil Rights Data Collection out-of-school suspension counts for 2021-22, the most recent year available, and they turn out to be concentrated among the states whose discipline record is already the most uneven.

- **Thirty of the 31 suspend Black students at least one and a half times as often as white students.** 27 at twice the rate or more, 18 at three times or more. Tennessee is the thirty-first and its ratio is set aside here rather than counted: Memphis-Shelby certified zero suspensions for every school in the 2021-22 submission, and the 30 August 2026 memo directs that the resulting figure not be used. On the 2017-18 collection Tennessee stood at 5.26, among the widest gaps in the country, so setting it aside understates the pattern rather than flattering it. The narrowest gap in the group is Montana's 1.63, but that rests on 54 Black students suspended statewide and Wyoming's 2.15 on 77; neither base will carry a stable ratio, and the narrowest gap resting on a readable base is Hawaii's 1.71. Of the ten states with the widest gap in the country, seven are in the group: Connecticut, Nebraska, New Jersey, Minnesota, Kansas, Texas and South Dakota.
- **Take the fifteen states with the widest gap and the picture is sharper.** Not one of them gives a student a full right to appeal a grade; two, the District of Columbia and Illinois, give a qualified one. One, Wisconsin, publishes discipline numbers by race and offense type together. Two require any written standard for an academic integrity finding: Utah, and with a caveat the District of Columbia, whose rule binds the traditional public schools but not the charters. One, the District of Columbia, writes due process broadly enough to reach an academic penalty.
- **Virginia is in the group and California is not, but the two are five hundredths apart.** Virginia suspends Black students at 3.25 times the white rate and California at 3.20, against a median of 3.00 across the 51 jurisdictions that report one; Puerto Rico does not. California stays out of the group on its policy record, not its discipline record: it is the one jurisdiction with both a qualified appeal right and discipline numbers published both ways. Its own suspension gap is barely below Virginia's.

- **What this does and does not establish.** It establishes that the places with the fewest written checks on an academic accusation are, disproportionately, the places whose discipline record is already the most uneven. It does not establish that AI accusations are being made unevenly. No state publishes discipline data in a form that would show that, which is the second half of the problem: the conditions for an uneven pattern are in place and the instrument that would detect one is not.

2. Why California and Virginia

- **They are the study's two target states.** California and Virginia are the study's two anchor states. The national scan in section 1 came second, to establish what kind of comparison the two sites actually give us.
- **As it turns out, they sit at opposite ends of that national scan.** California has the strongest state-level protection in the country for disputing an academic penalty, which makes it a contrast for this study rather than a clean bill of health: the strongest protection in the country still leaves two thirds of California's districts unable to hear a student say they did not use AI. Virginia has none, and does not publish its discipline numbers by race and offense type together. If state guidance shapes what districts write, the contrast should show up in the districts, and it does.
- **Districts were chosen to cover Black students, not simply the biggest districts.** The 20 Virginia divisions are the top 20 by Black enrollment, about 76 percent of Virginia's Black students, using federal enrollment counts for 2023, because Black enrollment there is concentrated in a few divisions. California's Black students are dispersed, so reaching comparable coverage took the top 145 districts, roughly 76 percent of the state's Black students. The California list is 148 rather than 145 because an earlier pass over the 20 largest districts adds three that fall outside the top 145 by Black enrollment: Capistrano, Santa Ana and Garden Grove.
- **That coverage figure is our own calculation, not a published total.** The running total was carried only through California rank 40 (50.8 percent), and Pasadena's enrollment is missing from the federal counts, so 76 percent is if anything slightly understated.

3. What we did

- **Scanned 168 unique districts:** 148 in California and 20 in Virginia. California was collected in two passes, one over the 20 largest districts and one working down the list by Black enrollment, and three districts turned up in both under different spellings of their names. Each of the three was coded from scratch both times, and each is counted once here. That accidental double coding worked as a check: two of the three came out the same way both times, and the one discrepancy is noted in the coding record.
- **Hand-coded each district's own documents** (board policies, handbooks, acceptable use policies) on four questions: whether the district has its own written AI policy; what penalty an AI or cheating violation carries; whether AI detection tools are named or limited in the written rules; and whether, if a teacher decides work is AI-written, there is a written procedure the student can use to get that decision reviewed, and whether that review reaches the grade itself and not just the punishment.
- **Archived every coded source.** Between 31 August and 3 September 2026 every cited document was fetched and stored as a dated, text-extracted snapshot carrying a fingerprint that would change if the text were altered. Every district is covered. Every fingerprint still matches and no snapshot referred to anywhere is missing. Three of the sources were recorded without a web address and so could not be fetched. The fetch procedure is documented and reproducible on request.
- **We traced some district language back to the model policy it was copied from, but not all of it.** Where the tracing was done it is complete, with no district left unaccounted for. It has been done for about two thirds of the

districts scanned; the last California batch, 65 districts, has not been traced yet. One number in this document rests on that tracing: the count of districts using California School Boards Association model language, reported in section 7. That count is a minimum and the real figure is higher. No other number here depends on it.

4. The core finding: recourse for everything but the accusation

Two different things can happen after a teacher decides a student used AI. Someone can be required to hear the student on whether it is true, and someone can be able to change the grade once it is not. They are read from different policy text, a district can do either without the other, and most do neither. What follows takes them in three parts: how far a written objection goes, why it stops where it does, and whether anyone is obliged to hear the student at all.

Part one: how far a written objection goes

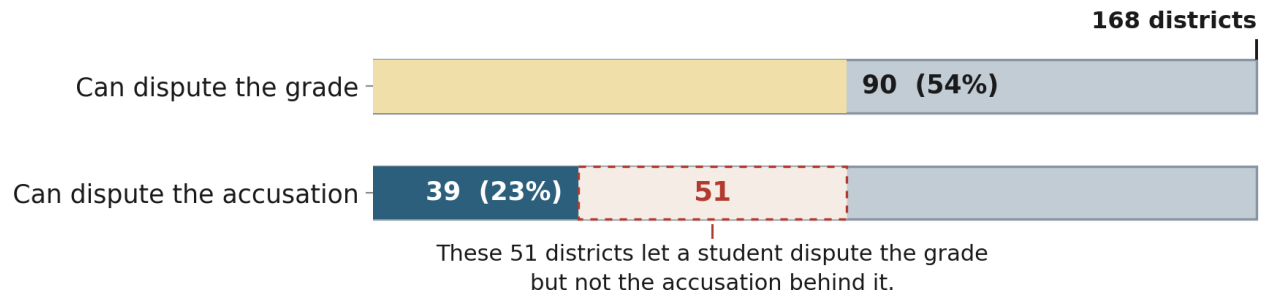
The grade side narrows in steps. In 132 of the 168 districts an accused student can object in writing to something: the punishment, their file, or how the case was handled. In 90 of those 132 the objection can be to the grade itself. In 39 of those 90 the grounds the procedure itself states would let the student argue the accusation is wrong, that they did not use AI. The drop from 90 to 39 is the finding, and it is not a point about whether anyone apologises. In the 51 districts between those two numbers a student may file the objection and will lose it, because the grounds the district itself wrote do not include the teacher having been wrong about what happened.

Part two: why it stops where it does

Two ordinary mechanisms produce that result. In 41 of the 51 the only route is a challenge to the student's file. Its remedy is to correct or remove information from the record, which reaches the file and leaves the grade where it is. In 8 more there is a real appeal with named steps and deadlines, but California law lets a grade be changed only for clerical or mechanical mistake, fraud, bad faith, or incompetency, and a teacher who sincerely believes the wrong thing is none of those four. The most fully specified grade appeal in this corpus runs three levels with a deadline at every step and still cannot be used to argue that the accusation is false. A further 6 districts name a grade appeal in their text but are not counted among the 90, because on reading the route belonged to a parent rather than the student, or the instrument had never been adopted by the board, or no instrument was named at all.

The grade can be disputed. The accusation usually cannot.

In 132 of 168 districts an accused student can object in writing to the punishment, their file, or how the case was handled. In 90 of those the objection can be to the grade itself. In 39 it can be that they did not use AI. The distance between those two numbers is the finding.



168 unique districts in California and Virginia, hand-coded from primary documents, August and September 2026. A procedure counts as letting a student dispute the accusation only if its own stated grounds let them argue the accusation is wrong. A records-correction procedure does not: it can fix a mark entered in error, but it starts from the assumption that the accusation was true.

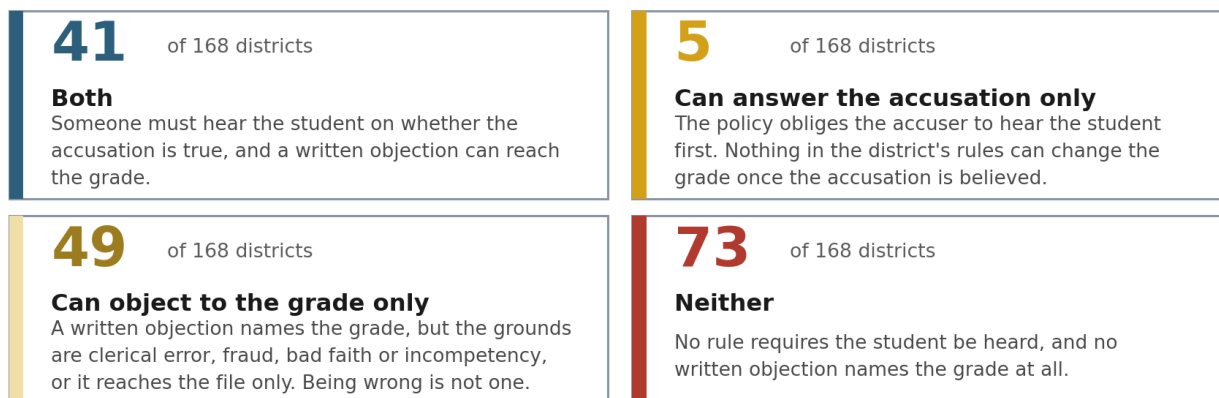
Figure 2. The upper bar counts districts where an accused student can dispute the grade. The lower bar counts those where the student can dispute the accusation itself. The shaded stretch between them is the finding. 168 districts, August and September 2026.

Part three: whether anyone has to hear the student

In 122 of the 168 districts no rule requires anyone to hear the student on whether the accusation is true before the finding is entered. 49 of those 122 do have a written objection that names the grade, and in 41 of the 49 that objection reaches only the student's file. The remaining 73 have no written objection that reaches the grade either: 37 of them can put something else in writing, about the punishment or the file or how the case was handled, and 36 have nothing written at all. The 46 districts that do oblige someone to hear the student are not a subset of the districts with a written route: 5 of the 46 have no written way to reach the grade at all. The two measures disagree in both directions, so a count of either one on its own describes a different country from the one in these documents. At one end they do coincide: in 39 of the 41 districts that have both, the reasons the district will accept include the student saying the accusation is wrong, and every one of those 39 also obliges a hearing. In the other 2 the reasons stop short of the accusation.

In 122 of 168 districts no one has to hear the student

No rule in those districts requires anyone to hear whether the accusation is true before the finding is entered. 49 of them do have a written way to object to the grade, which is not the same thing and cannot stand in for it. The two measures disagree in both directions: 41 districts have both, 5 can answer the accusation with no written objection that names the grade, and 73 have neither.



148 California districts and 20 Virginia divisions, hand-coded from primary documents, August and September 2026. Of the 49 that can object to the grade only, 41 have nothing but a challenge to the student's file, whose remedy corrects the record and leaves the grade in place. In 39 of the 41 with both, the reasons the district will accept include the student saying the accusation is wrong; in the other 2 they do not.

Figure 3. In 122 of 168 districts no rule requires anyone to hear the student on whether the accusation is true. Being able to answer the accusation and having a written way to object to the grade are separate protections, and a district can have one without the other. 168 districts, August and September 2026.

Why the accusation matters on its own

There is a second reason the accusation matters on its own, which is that districts attach consequences to the finding and not only to the grade. At Blue Ridge Academy a third finding places the student on academic probation for a year, which puts a copy of the cheating referral in the permanent cumulative file, has staff proctor the student's remaining unit tests and finals, bars them from field trips, prom and graduation, and makes them ineligible for letters of recommendation from staff and faculty. At Barstow Unified a third finding removes the student from the class with a failing semester grade and bars them from school activities for 45 days. These are two schedules read from the archived handbooks rather than a count, but both are cumulative and automatic: each rung assumes the findings below it were correct, and neither supplies a way to contest one. Changing a single grade does not reach any of that.

- **In 79 percent of districts (132 of 168) an accused student can object in writing to something: the punishment, their file, or how the case was handled.** California 78 percent (115 of 148), Virginia 85 percent (17 of 20). Virginia looks better than California on this test and worse on every test that follows, which is the point: something exists almost everywhere, and in Virginia the objection almost never gets to be about the grade.
- **In 54 percent (90 of 168) the objection can name the grade itself.** California 59 percent (88 of 148), Virginia 10 percent (2 of 20). These are the districts whose procedure names the grade, through a grade appeal or an academic integrity appeal, rather than only a general complaint procedure. Naming the grade is not the same as being able to act on the accusation, which is the next test. The route has to belong to the student and rest on a document the board adopted, which is why 6 districts whose text names a grade appeal are not counted here. Only 54 of the 168 have a grade appeal named as such, and just one of those is in Virginia.
- **In 23 percent (39 of 168) a route to the grade exists whose own grounds would let the student say: I did not use AI.** California 25 percent (37 of 148), Virginia 10 percent (2 of 20). A procedure counts here only if its own stated

grounds let a student argue the accusation itself is wrong, that they did not use AI. Naming the grade is not enough, because the most common document a California district points to is a records-correction procedure, and a records-correction procedure cannot be used to dispute the teacher's decision about the work. Its grounds are that the file is inaccurate, misleading or privacy-violating, and for grades it restates California Education Code 49066: the teacher's grade stands absent clerical or mechanical mistake, fraud, bad faith or incompetency. A teacher wrongly believing a student used AI is none of those four.

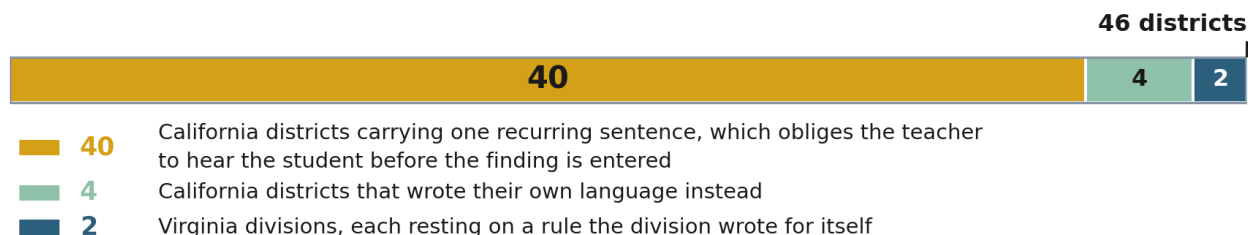
- **51 districts let a student dispute the grade but not the accusation behind it.** 41 offer only the records challenge; 8 have a real appeal that goes above the teacher, but it runs on the California Education Code 49066 grounds, which bar this claim; and 2 name no one to hear it, no deadline and no next step. A further 3 send the appeal through the parent or rest on a document the board never adopted and 3 name a way to appeal without saying which document provides it, and those 6 are set aside rather than counted as routes to the grade. All 51 are in California. The two Virginia divisions where a student can dispute the grade both survive this step. Neither runs through a records-correction procedure, and Virginia has no statute making a teacher's grade final the way California Education Code 49066 does, so an ordinary appeal there is free to take up whether the accusation was right.
- **42 districts offer something that stops short of the grade.** In 23 of them the only process is a discipline appeal, and 12 of those 23 are in Virginia. The suspension can be undone but the zero cannot. This is the false reassurance the study was designed to expose: a district can accurately say students have an appeal right while no procedure touches the academic penalty. With the 90 that can reach the grade and the 36 with nothing in writing, these 42 account for all 168.
- **In 21 percent of districts (36 of 168) the teacher's decision is final.** There is no written appeal of any kind. The zero stands with no review. California 33, Virginia 3.

5. What protection exists, and where it comes from

This section focuses on California because that is where the protection comes from: of the 46 districts in this scan where someone must hear the student, 44 are in California, and 40 of those rest on a single sentence in the state's model policy. Virginia has no state law or model policy that provides this protection. That absence is a finding, not a gap in the scan.

In California, the protection rests on one sentence

Of the 168 districts scanned, 46 oblige someone to hear an accused student before the finding is entered: 44 in California and 2 in Virginia. Those 46 are not 46 separate decisions. In 40 of them, all in California, the same sentence is doing the work, and in 31 of those 40 the record ties the policy to a school boards association model any board can revise.



Take that one sentence out and the 46 becomes 6: 4 California districts and both Virginia divisions.

148 California districts and 20 Virginia divisions, hand-coded from primary documents, August and September 2026. A district is counted in the first group when its archived policy carries the sentence, or its coding record states the sentence is present. For the 9 districts not tied to the association model, the record is silent on lineage rather than showing independent authorship. The sentence reads: the student shall be given the opportunity to demonstrate that the use of technology was in accordance with this policy.

Figure 4. Where the ability to answer an accusation comes from. Of the 46 districts where a student must be heard, 44 are in California and 2 in Virginia, and in 40 of them, all Californian, one recurring sentence is doing the work. Neither Virginia division rests on it. Remove that sentence and the protection found anywhere in the scan falls to 6 districts. 168 districts, August and September 2026.

- **18 districts have nothing at all:** no grade appeal, no academic integrity appeal, no general complaint procedure, not even a discipline appeal, and no written AI rules of their own either. They are the districts among the 36 that have also never written down the standard a student would be judged against. 17 are in California and one is in Virginia.
- **Where a California student must be heard on the accusation, it is almost always because of one sentence:** that a student suspected of misusing technology shall be given the opportunity to demonstrate that the use was in accordance with the policy. It obliges the teacher to hear the student before the finding is entered. 40 of the 44 California districts that require this rest on that sentence, and in 31 of those 40 the record ties the policy to the California School Boards Association academic honesty model, which any board that adopted it can revise. The other 4 wrote their own language. For the 9 not tied to the association model the record is silent on where the wording came from, which is not the same as showing that the district wrote it, so 31 is a floor. A district is counted in the first group only where the archived source document carries the sentence or the coding record states it is present, so this is a count of the sentence rather than a count of districts that mention the association anywhere. This is the district-level echo of the state model policy noted in section 1, and it is the whole of California's advantage: the state's other contribution, the records challenge, is the one that fails the test.
- **The two are easy to mistake for each other, which is why the difference is worth stating.** Both are board-adopted, both name grades, both give a student a form to file and a timeline to meet. They differ in what the student is allowed to argue. Under the rebuttal clause the student argues the accusation is wrong. Under the records challenge the student argues the file is wrong, and on grades specifically, that argument is available only for clerical or mechanical mistake, fraud, bad faith or incompetency. A district that adopts the second and not the first can describe itself, accurately, as giving students a way to challenge a grade.
- **Emerging bright spot: 7 districts** now state that a detector result cannot be the sole evidence of a violation : Colton Joint (strongest language we found), Centinela Valley Union High, Grossmont Union High, Palmdale

Elementary and Oakland in California; Prince William County and Richmond City in Virginia. That is 4 percent of the 168.

- **Every district was checked on this question directly.** All 168 rest on a reading of the governing document itself, and every reading is archived as a dated copy carrying a fingerprint that would change if the text were altered. The percentages in section 4 are computed on all 168 districts, not on a portion of them.

Limitations

A district's AI policy almost never contains the appeal. It says what counts as misuse and what happens if a student is caught, and then the appeal, if there is one, lives somewhere else: the student conduct code in Virginia, the academic honesty policy or the grading regulation in California. So coding a district meant reading two documents, the AI policy and whichever one carries the appeal. That reading was done in both states. The archive is more complete for the AI policies than for the appeal documents: in most cases the dated copy captured the AI policy, and the appeal-side coding is recorded in verification notes, with four Virginia divisions fully reproducible from the archive alone. In California the appeal-side gap is closed at the model-policy level rather than district by district. The district-by-district detail is available on request.

6. Rules: can students see the standard that judges them?

- **62 percent of districts (105 of 168) have their own written AI rules:** California 63 percent (93 of 148), Virginia 60 percent (12 of 20). For the other 63 districts the standard lives entirely in each teacher's head.
- **Most policies are silent on detection tools even where teachers use them.** Students can be accused by software the written rules never mention. Riverside USD is the documented case: zero occurrences of Turnitin, GPTZero, AI detection, authorship or sole basis anywhere in the handbook.
- **Several districts are internally contradictory** (ABC and Redlands, CA): district guidance questions detectors while individual schools name Turnitin.
- **Seven of the 20 Virginia divisions publish the rules governing student AI use on web pages and PDFs that carry no date anywhere:** Fairfax, Prince William, Virginia Beach, Norfolk, Newport News, Alexandria and Suffolk. An undated page can be rewritten at any time and leaves no record of what it said before. So a student accused in October cannot show what the rule said in September, and neither can whoever reviews the accusation. The standard is visible but not fixed. California divisions date their documents markedly better.
- **This is a different question from whether discipline numbers are published.** Whether a district publishes its own suspension numbers by race and reason was not collected district by district in this scan. The published-numbers finding in section 1 is at the state level only.

7. Why it matters: the discipline pattern repeats

- **State law entitles a student to challenge a suspension almost everywhere, but far fewer districts review the academic penalty.** The protection tracks the old discipline system, not the new harm. Section 1 shows why: state due process was written for removal from school, and the districts inherited its shape. That minimum set by state law sits underneath the district reading in section 4 rather than contradicting it: the 36 districts with no written appeal have written nothing of their own, so a student there has only what state law provides, which is a hearing before removal and nothing about the grade.
- **The strongest state in the country is the proof.** California has the most explicit state-level guidance anywhere on giving students a way to rebut a claim of inappropriate AI use, and two-thirds of its districts still give an accused

student no way to dispute the accusation itself. Where something does exist it is usually the wrong document: a procedure for correcting a record, which California law bars from revisiting the teacher's decision. This is the finding in its sharpest form: not an absence of policy, but policy that answers a different question than the one an accused student needs answered.

- **The 23 discipline-only districts are the clearest form of this**, and their concentration in Virginia, 12 of 20 divisions, means the state whose Black students are most concentrated in a handful of districts is also the state where the academic penalty is least reviewable. Given documented racial disparities in school discipline referrals, an unreviewable teacher decision is exactly the discretion point the study targets.
- **The documents themselves predate the problem.** Stockton's BP 5131.9 was adopted in 1987, Capistrano's BP 5121 in 1997, Sacramento City's AR 5131.9 in 1998, San Juan's BP 5121 in 2002, Oakland's BP 5131.9 in 2004, San Bernardino's in 2007, Sweetwater's in 2008, and Chesapeake's Reg 6-44 was last revised in 2008. The honest description is modern AI policy bolted onto enforcement rules written before generative AI existed.
- **Policy adoption is template-driven, not deliberate.** CSBA model language reached at least 28 California districts in a 2025-2026 sweep, and two further influence channels surfaced: a for-profit virtual school operator (Stride/K12 Inc.) and a probable law firm template (F3 Law; the Berkeley and Palm Springs texts are near-verbatim identical). Because 65 districts have not been traced yet, CSBA's true reach is larger than 28.

Appendix

Figure A1 shows the same 52 jurisdictions as Figure 1, arranged by location rather than by category, for readers checking a particular state. The colors match Figure 1.

What an accused student can actually do about it

Two things could help a student accused of using AI. Recourse: a written rule letting them dispute the grade itself, not just a suspension. Visibility: discipline data published by race and by category together, so an uneven pattern could be seen at all. In 31 of 52 jurisdictions a student has neither.

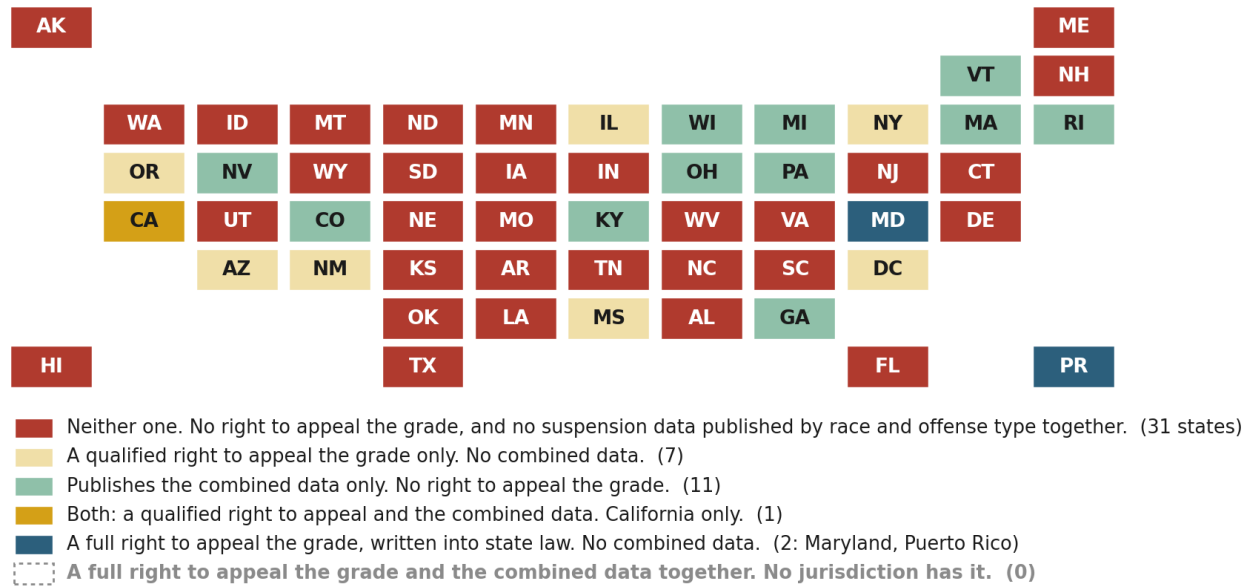


Figure A1. The 52 jurisdictions of Figure 1, by location. Colors match the categories in Figure 1. 52 jurisdictions, August 2026.