

High-risk AI in education

For schools, training providers, exam bodies, EdTech vendors and learning teams.

-
- Annex III point 3
 - Practical high-risk classification
 - Commercial readiness briefing for governance teams



CLASSIFICATION LOGIC

3 questions decide the route

Use this as a starting point for AI inventory, gap intake and roadmap.

01

Intended purpose

What output does the system produce, in which context and with what effect on people or operations?

02

High-risk route

Does the use case fall under Annex III point 3, or should Article 5 or Annex I be checked first?

03

Readiness roadmap

Translate the classification into obligations, evidence, training and supplier actions.

Intake question: Does the AI support learning, or does it help decide something about a learner?

What falls in scope?

This domain version helps turn a first AI Act gap check into concrete review questions.

AI in education becomes sensitive when it affects access, assessment, level placement or test behaviour for learners.

- Access, admission or assignment to education or training.
- Evaluation of learning outcomes, including learning process steering.
- Assessment of appropriate education level or placement.
- Monitoring or detection of prohibited behaviour during tests.

When does this become a readiness question?

You do not need a final legal conclusion before starting governance work.

Review first

- AI grading of tests, exams or assignments that count.
- Adaptive placement into levels, tracks or support routes.
- Proctoring with behaviour, screen, voice or face analysis.
- Admission or scholarship scoring based on AI output.

Define first

- Formative feedback that does not count toward assessment.
- Self-study exercises where the learner remains in control.
- Teacher preparation or content generation without learner decisions.
- General planning, administration or search functions.

USE CASES

3 situations for the intake

These examples help identify the right stakeholders, documents and evidence path.

01

Assessment

A grading model gives score advice that influences a final mark.

02

Placement

A platform places learners into beginner, intermediate or advanced routes.

03

Proctoring

AI detects possible prohibited behaviour during an examination.

Use this as a scoping aid, not as a final legal conclusion.

EVIDENCE

What a readiness track should produce

Classification should end in actions, ownership and reviewable documents.

Core deliverables

- AI inventory and risk classification
- Provider/deployer role split
- Gap analysis on obligations and evidence
- 30/60/90-day roadmap
- Management summary and next routes

Domain focus

- Separation between formative and summative use.
- Human assessment, objection route and explanation for learners.
- Data representativeness, bias and accessibility.
- Logging, teacher instructions and limits per feature.

SOURCE STATUS

Based on the Commission draft guidelines

Use this as an intake and classification framework. Check final guidance before legal decisions are completed.

Status on 8 June 2026

- The Commission published the draft guidelines on 19 May 2026.
- Annex III contains 8 areas. This briefing works out 1 area practically.
- The formal AI Act text remains leading.

Commission draft guidelines

Annex III official text

Article 6

Gap intake

For decisions with legal consequences, a full system and context review remains necessary.



NEXT STEP

Classify your education AI before the roadmap gets stuck.

Embed AI helps turn a loose AI list into a defensible classification, gap analysis and concrete 30/60/90-day roadmap.

Start gap intake

View Readiness Sprint

Book a call



Author: Zahed Ashkara

EU AI Act expert, AI governance and compliance consultant. Zahed helps organisations classify AI systems and make governance practical.

