

PROBLEM STATEMENT

The increasing use of AI in SPED presents significant ethical, legal, and educational challenges. Despite the growing adoption of AI tools in K-12 education, no standardized federal or state regulations specifically address the ethical risks and compliance concerns associated with AI implementation in SPED (DOE, 2023; Roschelle et al., 2024). This regulatory gap affects approximately 7.5 million students nationwide who rely on special education services, with 31% of schools reporting critical shortages in SPED specialists, school psychologists, and case managers (National Center for Education Statistics, 2024).

About 7.5 million U.S. students depend on SPED services, but 31% of schools report a shortage of SPED specialists (NECES, 2024).

Current Regulatory and Ethical Gaps

Current AI-driven educational tools are being rapidly deployed without adequate ethical oversight or legal frameworks. While federal laws such as IDEA, Section 504, and FERPA offer essential protections for students with disabilities, they were not designed to address the unique challenges posed by algorithmic decision-making (Haque & Li, 2024). The White House's AI Bill of Rights (2023) emphasizes the importance of bias mitigation and transparency but lacks specific enforcement mechanisms within educational contexts. This regulatory vacuum has created significant vulnerabilities for SPED programs:

- Algorithmic bias in assessment and intervention:** Research by Nguyen et al. (2023) demonstrates that AI systems misclassify students with disabilities from marginalized backgrounds at rates up to 32% higher than their peers, potentially reinforcing existing inequities in identification and service delivery.

Continuation of the Problem Statement

These alarming findings highlight the urgent need for structured ethical frameworks to guide AI implementation in special education settings.

- **Data privacy vulnerabilities:** SPED students' sensitive diagnostic information, behavioral data, and learning accommodations are increasingly processed through AI systems that lack adequate safeguards against privacy breaches (Roschelle et al., 2024).
- **Lack of professional preparation:** The CIDD (2024) highlights that few educators and educational leaders understand AI sufficiently to effectively advance education and special education. Faculty members responsible for preparing future special educators often lack access to comprehensive AI-focused training programs, which inhibits their ability to effectively integrate AI tools and content into teacher preparation (CIDD, 2024). Holmes et al. (2022) highlight significant concerns regarding data privacy and compliance in AI educational systems, noting that 'no framework has been worked out, no guidelines have been agreed, no policies have been developed, and no regulations have been enacted to address the specific ethical issues raised by the use of AI in education' (p. 505).

Local Impact in SAU41

These challenges are particularly acute within SAU41. The district has experienced persistent SPED staffing shortages since 2022, with critical positions such as school psychologists remaining vacant for multiple school years (SAU41, 2024-b). This staffing crisis has led to delays in SPED service implementation and increased reliance on AI-powered interventions to support overburdened staff. However, SAU41's Professional Growth Master Plan (2022-2027) does not include AI ethics training components, highlighting a critical professional development gap for educators and administrators (SAU41, 2022).