August 20, 2025

Zachary Rogers
U.S. Department of Education
400 Maryland Avenue SW, Room 7W213
Washington, DC 20202-6450

RE: ED-2025-OS-0118

Submitted via: regulations.gov

Dear Mr. Rogers:

The Consortium for Constituents with Disabilities Education Task Force (CCD) is writing to inform the U.S. Department of Education (ED) *Proposed Priority: Advancing Artificial Intelligence in Education* as issued for public comment. The CCD Education Task Force and the Technology and Telecommunications Task Force leads, advocates for, and monitors federal legislation and regulations that focus on the educational needs of the 9.5 million children and youth with disabilities and their families as well as policies that address access to telecommunications and assistive technology in education, employment and independent living. Together, we focus on policy efforts affecting the funding and implementation of federal laws such as IDEA, Every Student Succeeds Act (ESSA), Section 504 of the Rehabilitation Act of 1973 (Section 504), and the Americans with Disabilities Act (ADA). We advocate for high expectations for children with disabilities under these and other laws.

CCD supports the addition of this important priority. AI has the potential to work as assistive technology, increase teacher and student capacity, and diversify learning opportunities, but it must be designed for and with students with disabilities to achieve these aims. To support and strengthen the addition of this priority, CCD offers the following comments and recommendations:

General Recommendation: ED must ensure that any focus and investment in appropriate integration of AI into education must also ensure that grantees specifically seek to:
- **support access and opportunity for all** so that federally funded initiatives do not intentionally or otherwise create barriers for or discriminate against students with disabilities or others;
- **clarify that all grantees must comply with all federal education, disability, and civil rights laws**; and,
- **establish and uphold clear guidelines for ethical AI development and deployment, transparency, accountability, and user privacy**.

We also encourage ED to emphasize the need for State Education Agencies (SEA) and Local Educational Agency (LEA) and their partners to *engage directly with stakeholders that include the disability community, including special educators and specialized support personnel* to gather input and integrate disability awareness with grantees so that every dollar maximizes access to AI in education alongside their peers.

To reinforce this recommendation, we offer the following examples of bias and discrimination of students with disabilities that have occurred:

- Some AI tools and AI literacy programs are not accessible to or usable by people with disabilities;
- Automated test proctoring that incorporates AI and machine learning can interfere with the use of assistive technology and reasonable accommodations or inappropriately flag students with disabilities based on their movement;
- Datasets used to train AI do not always include information that is representative of people with disabilities and how they interact with the software; and
- Use of AI to process sensitive or private information about students places that data at risk of inappropriate or inadvertent disclosure.

There are additional concerns about the role of AI as a decision maker in identifying disabilities or in admissions programs, refining AI-based learning programs to serve diverse learner needs and increasing inappropriate surveillance of students with disabilities. These types of bias and discrimination can be avoided when ED emphasizes to grantees that universally designed and accessible AI must always be considered rather than retrofitting systems, programs, and/or software later. The technology exists and we urge ED to ensure grantees are incentivized to invest in and use it.

Proposed Priority:
(a)(i) EDIT **(in bold)**

(i) Support the integration of AI literacy skills and concepts into teaching and learning practices to improve educational outcomes for students, including how to **incorporate universal design in digital settings** and how to detect AI generated disinformation or misinformation online;

Rationale: As ED knows, AI-driven tools are transforming classrooms in the form of adaptive learning platforms, tutoring systems, lesson-planning assistants, and other education tools, and their true potential is realized when they are flexibly designed and implemented with Universal Design for Learning (UDL) principles, including web and mobile app accessibility. As noted recently in a review of literature about the advancement of and need for AI literacy, the rapid and substantial transformation of the workforce driven by AI innovation (Ng et al., 2021a) underscores the importance of AI literacy as an essential competency for future citizens (Long & Magerko, 2020). Taking into account that today's learners are the future workforce (Vought, 2018), making AI literacy a priority and assuring such teaching and learning is universally available and accessible to all learners is essential. Additionally, as specified recently in the *Blueprint for Action*, "AI tools should be used to augment, not replace, the vital interactions between teachers and students, as well as among peers…[and] we must not abandon ongoing efforts to expand access to computer science, computational thinking, data science, and digital literacy education for all students. Instead, there is an urgent need to integrate emerging technologies—especially AI—into these efforts and all learning domains because AI literacy extends beyond STEM domains and will impact all subjects and disciplines." (See: Blueprint for Action: Comprehensive Literacy for All (2025).

(a)(ii) EDIT **(in bold)**
(ii) Expand offerings of AI and computer science education in K-12 education, **ensuring that students with disabilities have full access to these curricula**;

Rationale: Many students with disabilities do not get the chance to participate in computer science education because the curriculum is not always fully accessible. Recently, there has been substantial efforts to expand the availability of accessible curricular materials for students with disabilities in computer science and STEM courses, so these efforts must continue and expand to ensure that all

students benefit from the expanded AI and computer science offerings available. In addition, accessibility is a core component of building a high-quality user experience in technology, so accessibility concepts should be introduced at the K-12 level.

(iii) EDIT **(in bold)**
(iii) Expand offerings of AI and computer science courses as part of an institution of higher education's general education and/or core curriculum, **including accessible design and development skills**;

Rationale: Even though "accessibility" is required by the Americans with Disabilities Act and its implementing regulations, accessibility remains a concept that is not comprehensively taught in computer science and engineering programs. For this reason, teaching the principles of accessibility and universal design should be part of any effort to expand computer science and AI offerings – including that such programs ensure that AI utilized as accessibility features such as captioning and signing avatars are appropriately designed and utilized for meaningful access rather than as a performative claim of providing access given that *many programs are designed by people without understanding the needs of people with disabilities*. By preparing students and teaching them the fundamentals of universal design and the standards for achieving accessibility during their education, they will be better prepared for the workforce, where employers have described difficulty in hiring job candidates who can meet the rising demand for computer-based accessibility skills.

(v) EDIT **(in bold)**
Provide professional development for educators on the integration of the fundamentals of AI into their respective subject areas, **including how to incorporate universal design for learning and to integrate emerging technologies into all learning domains**;

Rationale: As CCD has noted, UDL's flexible and responsive framework supports educators in their design of any teaching environment, including in K-12 settings, career and technical education (CTE), science, technology, engineering, and math (STEM), adult education, and more. AI technology has enormous potential for assistive technology, offering new opportunities in communication, visual aids, mobility, and rehabilitative support for students with disabilities. This also means that new and innovative approaches must align with best practices (e.g., UDL) so that educators can fully integrate the fundamentals of AI into each subject area and ensure it is available and accessible to all, including students with disabilities.

(vi) Support with recommendations.

Comments/Recommendations: We support this focus and encourage ED to continue to communicate to SEAs, LEAs and AI industry experts that *there is an urgent need to integrate emerging technologies—especially AI—into efforts to expand access to computer science, computational thinking, data science, and digital literacy education for all students, especially those with disabilities, and all learning domains*. It's essential to recognize that a fundamental principle of AI literacy is that it extends beyond STEM domains and will impact all subjects and disciplines. This holistic focus on AI literacy as a foundational literacy ensures that students with disabilities not only develop foundational skills in computer science and data fluency but also build the critical digital literacy competencies essential for navigating and shaping an AI-driven world. (See: Blueprint for Action)

(viii) EDIT **(in bold)**
Create opportunities for **all** high school students through the development or expansion of AI courses, **micro-credentials, credentials,** and career-relevant, in-demand certification programs **designed to meet industry needs**; or

Rationale: We support promotion of and grant funding becoming available that is designed to support an expansion of courses that open new pathways for all youth and young adults to career training and opportunities for employment, especially when these include students with disabilities. As ED knows, we are currently navigating a seismic shift in education and early career opportunities, fundamentally altering the landscape for the emerging workforce. Traditional, linear career paths are dissolving, replaced by a demand for adaptable individuals with a hybrid of technical and durable skills, priorities that educators have long championed, even while constrained by conditions that emphasize standardized testing and rote memorization. The emphasis is shifting towards lifelong learning, with micro-credentials, boot camps, and online learning platforms, as well as just-in-time training tailored to specific industry needs. Thus, <u>we encourage ED to invest in grants that help SEAs, LEAs, and industry partners design AI courses (and related credentials) that are barrier free and accessible to all.</u>

(x) Support with recommendations.

Comments/Recommendations: We strongly support research that can build the evidence base for how AI in education can be appropriately designed and implemented for students with disabilities. Research also can identify what does not work well for students with disabilities. Understanding that there are appropriate and inappropriate ways to implement use of AI can be helpful when the adoption of AI is still relatively new, and many educators do not know how to evaluate the expanding array of AI tools. <u>Such evidence should address the full range of issues that we discuss in these comments, such as using AI in the development of assistive technologies; refining applications to deliver appropriate and individualized learning to all students; avoiding sources of bias or discrimination in high-staked tools, such as admissions, proctoring or surveillance; and developing tools to evaluate the effectiveness of AI for diverse learners</u>.

(b)(iii) EDIT **(in bold)**
(iii) Use AI to support **universally designed and accessible** early intervention, K-12, or postsecondary **curricula, materials,** instruction or services for children and students with disabilities and their families;

Rationale: CCD supports this provision and encourages the proposed edits to accurately reinforce how innovation through AI can truly help educators improve early intervention as well as K-12 education for students with disabilities. We already know that when AI is integrated into existing assistive technology (AT) (e.g., AI-enabled hearing aids, voice activated personal support, care, augmentative and alternative communication, assistance etc.) it helps users of AT maintain all types of daily tasks related to learning, living, and earning. Also, a recent survey of educators and district leaders found that nearly two-thirds say they're not getting the help they need to solve problems and select tools, and 70% of educators are specifically interested in learning how to use AI to support students with disabilities and English language learners.(See: [AI and UDL Work Better Together](#)) Thus, encouraging the use of AI to support universally designed and accessible curricula, materials, instruction, AI-infused AT and/or other evidence-based services will be greatly beneficial to students with disabilities.

(iv) EDIT **(in bold)**
(iv) Integrate AI-driven tools into classrooms to **universally design and** personalize learning, improve student outcomes, and support differentiated instruction. This integration may include, but is not limited to, adaptive learning technologies, virtual teaching assistants, tutoring, **other assistive technologies,** and data analytics tools to support student progress;

Rationale: AI has the potential to revolutionize access to the types of assistive technology (AT) designed to generate transformative improvements in communication, visual aids, mobility, and support for students with disabilities across all learning environments. Today's classroom incorporates a broad range of learners who we know can benefit from universally designed personalized learning that also

includes a range of learning technologies, including AT. All students must be provided opportunities to explore and implement AI-powered learning and other AT that incorporates universal design for learning to create accessible and supportive experiences for all.

(vi) Support with recommendations.

Comments/Recommendations: We agree with this focus. In an AI-enhanced educational landscape, preparing teachers to use AI tools effectively and ethically is crucial. This involves equipping them with the knowledge and skills necessary to navigate AI's potential in teaching and learning. As noted recently at a panel of special education experts,"...whatever is happening in our classroom looks remarkably similar to what is happening in the workforce. And so our role as teachers [and particularly special education teachers] is to ensure that our students are prepared for the future and whatever that future looks like." ([AI Demystified, Council for Exceptional Children](#), (2024)). As ED's Center for Innovation, Design and Digital Learning (CIDDL) notes, "AI is no longer a futuristic talking point; it's here, embedded in how educators design lessons, assess student progress, and manage the complex work of teaching and the implications of AI are enormous. However, with the opportunities come equally pressing challenges all of which bring the risk [to educators] of over-relying on systems that may not fully comprehend the nuances of teaching students, especially those with disabilities." (See: https://ciddl.org/overview-preparing-special-education-personnel-for-an-ai-future/)

We appreciate the opportunity to comment and look forward to continuing to meet as key stakeholders with ED on the essential work needed to support educational access and opportunity for the 9.5 million students with disabilities identified under the IDEA and served by Section 504.

Sincerely,

Access Ready, Inc.
American Council of the Blind
American Foundation for the Blind
American Music Therapy Association
American Printing House for the Blind
American Therapeutic Recreation Association
Assistive Technology Industry Association
Association of Assistive Technology Act Programs
Association of People Supporting Employment First (APSE)
Autism Society of America
Autistic Women & Nonbinary Network
CAST
Children and Adults with Attention-Deficit/Hyperactivity Disorder
CommunicationFIRST
Council for Exceptional Children
Council for Learning Disabilities
Council of Parent Attorneys and Advocates (COPAA)
Deaf Equality
Disability Belongs
Disability Rights Education and Defense Fund (DREDF)
Muscular Dystrophy Association
National Center for Learning Disabilities

National Down Syndrome Congress
National PLACE
Perkins School for the Blind
School Social Work Association of America
TDIforAccess
The Advocacy Institute
The Arc of the United States
United Spinal Association
United States International Council on Disabilities

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