National Association NASET of Special Education Teachers

June 2026

NASET Special Educator e-Journal

Exceptional Teachers Teaching Exceptional Children

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Special Education Legal Alert

Perry A. Zirkel
June 2026

This month's update identifies two recent decisions that respectively reflect the initial appearance of AI and the difficulties of IDEA discipline in the world of special education litigation. For related publications and special supplements, see **perryzirkel.com**

On May 14, 2026, the federal district court in Utah issued an unofficially published decision in *Wilkes v. Canyons School*. In this case, the school district first found a student eligible for special education in kindergarten under the IDEA classification of autism. Although the initial IEPs were successful, the child's progress stalled in grades 3 to 5. Yet, upon the transition to middle school for grade 6, the IEP team determined, despite the parents' objections, that he was no longer IDEA-eligible. Instead, the district provided him with a 504 plan. His decline worsened despite multiple revisions to this plan. In December of grade 6, the parents requested another IDEA evaluation, but the district refused. They also requested a functional behavioral assessment, which the district agreed, but failed, to do. In March, the parents hired an attorney, and the district assented to an IDEA evaluation. In late May, the IEP team determined that the student re-qualified under the IDEA. In August, the district held a meeting to develop the child's IEP for grade 7, but the parents expressed dissatisfaction with the meeting's brevity and the cursory consideration. In October, they filed for a due process hearing, alleging denial of FAPE extending back to grade 3. In March, the hearing officer issued a decision in favor of the district. In July, the parents filed an appeal with the federal district court based on multiple claims, including (1) Section 1983 for alleged violations of the Fourteenth Amendment; (2) Section 1983 for alleged violations of the IDEA, Section 504, and the Americans with Disabilities Act (ADA); and (3) the IDEA on its own. The district filed a motion to dismiss all the parents' claims except their appeal of the hearing officer's ruling for the two-year period within the IDEA's statute of limitations.	
The parents argued that the district was liable under Section 1983 for violations of the Fourteenth Amendment's due process and equal protection clauses.	The court dismissed this claim without prejudice (meaning that they could submit a revised version) because it unduly overlapped with their claims under the IDEA and Section 504/ADA.
The parents separately predicated Section 1983 claims on alleged violations of their child's rights under the IDEA, Section 504, and the ADA.	The court dismissed this claim with prejudice due to well-settled precedent that each of these statutes had their own comprehensive enforcement mechanisms.

The district's threshold challenge was to the notable part of the parents' IDEA claim that was beyond the two-year limitations period (reserving the rest of their challenge for further proceedings).	The court agreed with the district because for their statute of limitations argument the parents relied on artificial intelligence (AI)-hallucinated case citations.
The court held a follow-up show-cause hearing to determine whether the parents' use of nonexistent citations warranted sanctions.	The court ruled that the parents' attorney must pay $7,000 to the school district as reimbursement for legal expenses incurred as a result of the use of non-existent case law.
The primary, though not exclusive, lesson from this case is to beware of the misuse of AI in legal proceedings (as well as elsewhere).	

On April 20, 2026, a federal district court in Virginia issued an unofficially published decision in *Richmond City School Board v. V.B.* The child in this case, V.B., was a kindergartner with a history of serious behavior problems in daycare programs. Upon enrolling her in kindergarten, V.B.'s parents notified school officials that she had ADHD, although they did not provide documentation of the diagnosis. Despite some good days and apparent progress during the first several months of the school year, V.B.'s behavior was often problematic, including spitting on others, yelling and screaming, cursing, and physical aggression. Her teacher did not report her misbehaviors to the school administration until mid-November, which resulted in notification to the parents. The school implemented various interventions, including the teacher's color-coded behavioral system, check-ins by the school counselor and social worker, classroom breaks, and—after referral to the school-based intervention team—specific goals with related strategies. However, despite these efforts, V.B. received a one-day suspension on December 14, and on at least a weekly basis, the administration responded to her misconduct by having the parents pick her up long before the end of the school day. On January 11, the school's child find team referred V.B. for an IDEA evaluation. The parents consented, but well before the evaluation was completed, V.B. received two more one-day suspensions. On February 28, V.B. threw the contents of her desk on the floor, refused to pick them up, and when the teacher did so, V.B. hit her in the hip with a closed fist and said "that's what you get." As a result, the principal issued a ten-day suspension. On the second day of the suspension, the district held a manifestation determination meeting. The team determined that the punch was retaliatory rather than impulsive, thus not being caused by V.B.'s reported ADHD. Consequently, the matter proceeded to the regular district disciplinary procedure, which was formal notice of violation of the student code of conduct and a district hearing. The resulting decision was that V.B. could return to the school at the end of the suspension but that further serious infractions would result in her assignment to another district school. However, V.B. did not return, and the parents did not cooperate with the district's requests for them to make V.B. available for completion of the eligibility evaluation. In July, they filed for a due process hearing, with the advice of a lay advocate. After a 2-day hearing, the hearing officer ruled that the district violated the IDEA by not providing an earlier manifestation determination based on (a) the accumulated removals amounting to a disciplinary change in placement well before January 28,

and (b) the "the teacher … express[ing] specific concerns about [the child's] pattern of behavior … directly to supervisory personnel" (§ 300.534). As the remedy, she ordered an independent evaluation to determine V.B.'s eligibility under the IDEA. The district appealed these rulings to the federal district court. Despite receiving several warnings from the court, the parents, who continued to proceed without an attorney, did not respond to the district's appeal.	
The district argued that the cumulative removals did not amount earlier to a disciplinary change in placement.	The court deferred to the hearing officer's factual finding and applied a general case law standard for a change in placement (ignoring § 300.536).
The district contended that the hearing officer wrongly invalidated its manifestation determination of "No."	The court deferred to the hearing officer's conclusions as meeting the jurisdiction's broad standard of being "regularly made."
The district argued that the remedy was improper under the IDEA.	Here, the court agreed, concluding that "[the district] has a statutory right to conduct those evaluations rather than independent evaluators."
This decision is rather surprising in light of the parents' lack of cooperation for completion of the evaluation and for the proceedings in the judicial appeal, but these two disciplinary protections of the IDEA are murky and turbulent waters to navigate.	

Buzz from the Hub

https://www.parentcenterhub.org/buzz-may2026/

CPIR Resource Center

Have you checked out the new CPIR Resource Center? The resource center is a collection of curated tools to support families, caregivers, self-advocates or educators, by providing information about rights, services, best practices, leadership development, systems navigation and more. Make it your go-to place for materials to support informed decision-making and building strong collaborative connections.

Explore the CPIR Resource Center here.

Special Olympics Young Athletes

Special Olympics Young Athletes is a sport and play program for children with and without intellectual disabilities (ID), ages 2 to 7 years old. It has a vast library of free resources for families, including digital tools such as the Young Athletes app and in-person Young Athletes programming, that takes place in homes, in the community, and at schools.

Learn about Young Athletes **here**.

Supporting Your Child's Reading at Home

Learning to read begins at home through everyday parent-child interactions, long before children attend school. The **Regional Educational Laboratory (REL) Program** created these Family Activities with easy-to-follow instructions and videos to help you and your child practice foundational reading skills. Using the Family Activities at home can help your child develop

language, link sounds to letters, blend letters and word parts to read and write words and read for understanding.

Find the Family Activities **here**.

Podcast: Beyond the Bell: From Research to Real Life

NTACT:C's podcast, *Beyond the Bell: From Research to Real Life*, is a monthly series that breaks down key transition topics in a clear, practical way. Each episode explores strategies to improve outcomes for students and youth with disabilities, including postsecondary education, employment, independent living, and community participation.

Listen to the podcast **here**.

Digital Literacy

The Arc, **The Arc San Francisco**, and **AT&T** have collaborated on a nationwide program that is bringing digital skills training to people with disabilities and their families. The trainings accommodate the different learning styles of people with disabilities.

Explore the different courses available **here**.

What Makes Kids Hate Themselves?

The updates from the **Child Mind Institute** are always informative, but today's headline, "What Makes Kids Hate Themselves?", stands out in particular. Many parents recognize the moment when a child says something negative about themselves after making a mistake, and it can be difficult to know how to respond.

For those who have encountered similar situations, the resources shared in this edition of the newsletter may offer helpful guidance.

Read the newsletter **here**.

Stepping forward, stepping back: How parents can support youth moving to adult health care

The process of moving from pediatric to adult health care involves legal and social changes. For youth with intellectual and developmental disabilities, this process often is delayed or incomplete. From sharing information and power to building new skills, this webinar will help families navigate the process of health care transition in ways that empower youth to step forward and take a leadership role in their health and care.

When: June 15, 2026 **Time:** 2:00 PM ET Register **here**.

Update from the U.S. Department of Education

https://www.ed.gov/

Birth to Grade 12 Education-Reources
https://www.ed.gov/birth-to-grade-12-education

Available Grants
https://www.ed.gov/grants-and-programs/apply-grant/available-grants

U.S. Department of Education Issues Warning Letter to Jefferson County Public Schools in Colorado as District Refuses to Follow Title IX
June 3, 2026

Today, the U.S. Department of Education's Office for Civil Rights (OCR) issued a warning letter to Jefferson County Public Schools (the District) in Colorado for its ongoing refusal to comply with Title IX of the Education Amendments of 1972.

U.S. Secretary of Education Linda McMahon Visits Vermont on Returning Education to the States Tour
June 2, 2026

Today, U.S. Secretary of Education Linda McMahon visited Vermont on her Returning Education to the States Tour. She began at the Center for Technology, Essex in Essex Junction, a career and technical education school.

U.S. Secretary of Education Linda McMahon Visits Massachusetts on Returning Education to the States Tour
June 1, 2026

Today, U.S. Secretary of Education Linda McMahon visited Massachusetts on her Returning Education to the States Tour.

U.S. Department of Education Celebrates June as Second Annual Title IX Month
June 1, 2026

Today, the U.S. Department of Education (the Department) announced that it is again recognizing June as 'Title IX Month' in honor of the fifty-fourth anniversary of the Educational Amendments of 1972 (Title IX).

U.S. Department of Education and U.S. Department of Health and Human Services Announce Additional Grant Competition Under Family Engagement and School Support Partnership

May 29, 2026

Today, the U.S. Departments of Education (ED) and Health and Human Services (HHS) launched the School Safety Enhancement program Fiscal Year (FY) 2026 competition to bolster school safety and school infrastructure security.

U.S. Department of Education Senior Advisor for Civic Education Katie Gorka Highlights Civics Education at "History Rocks!" Event in Maine

May 28, 2026

Today, U.S. Department of Education Senior Advisor for Civic Education Katie Gorka visited Winthrop High School as part of the Department of Education's national 'History Rocks!' Trail to Independence Tour.

"PRESIDENTIAL 1776 AWARD" SPECIAL TO BE BROADCAST TUESDAY, JUNE 30 ON CBS

May 28, 2026

The U.S. Department of Education and CBS announced today that the 1776 PRESIDENTIAL AWARD special will be broadcast Tuesday, June 30.

U.S. Department of Education Under Secretary of Education Nicholas Kent Highlights Civics Education at 'History Rocks!' Event in Hawaii

May 27, 2026

Yesterday, U.S. Department of Education Under Secretary of Education Nicholas Kent visited Mokulele Elementary School as part of the U.S. Department of Education's national History Rocks! Trail to Independence Tour.

U.S. Department of Education and U.S. Department of Labor Announce Additional Grant Competition Under Elementary and Secondary Education Partnership to Promote Civics
May 26, 2026

As the United States approaches its 250th birthday, the U.S. Departments of Education (ED) and Labor (DOL) issued the Fiscal Year (FY) 2026 competition for the American History and Civics – National Activities (AHC-NA) Program.

U.S. Department of Education Reaches Consensus to Reform and Strengthen America's Higher Education Accreditation System
May 21, 2026

Today, the U.S. Department of Education (the Department) reached consensus on a proposed regulatory framework to advance the Trump Administration's vision for reforming and strengthening the nation's higher education accreditation system.

U.S. Department of Education and U.S. Department of Labor Make Historic Grant Investments in Programs that Bolster Postsecondary Outcomes
May 21, 2026

Today, the U.S. Departments of Education (ED) and Labor (DOL) announced that the agencies will make a historic, one-time investment in the Fiscal Year (FY) 2026 competition for the Strengthening Institutions Program.

U.S. Department of Education Probes Loudoun County Public Schools Over Alleged Bathroom Filming Incidents
May 20, 2026

Today, the U.S. Department of Education's Office for Civil Rights initiated a directed investigation into Loudoun County Public Schools in Virginia.

U.S. Department of Education Approves Louisiana's Returning Education to the States Waiver
May 20, 2026

Today, the U.S. Department of Education approved Louisiana's Returning Education to the States Waiver, empowering State education officials with greater discretion over their federal education dollars.

U.S. Department of Education Announces Additional Measures to Reduce Federal Burden on States

May 19, 2026

Today, ED announced it has approved Florida and Illinois' Ed-Flex applications, marking a record high number of 18 states now utilizing Ed-Flex authority.

U.S. Department of Education Issues Final Rule to Create New Workforce Pell Grant Program

May 18, 2026

Today, the U.S. Department of Education announced a final rule to implement the Workforce Pell Grant program created under President Trump's historic Working Families Tax Cuts Act.

U.S. Secretary of Education Linda McMahon Visits Wisconsin on Returning Education to the States Tour

May 15, 2026

Today, U.S. Secretary of Education Linda McMahon visited Wisconsin on her Returning Education to the States Tour.

U.S. Department of Education Assistant Secretary for Postsecondary Education Dr. David Barker and Arkansas Governor Sarah Huckabee Sanders Highlight Civics Education

May 14, 2026

Today, U.S. Department of Education Assistant Secretary for Postsecondary Education Dr. David Barker, AR Governor Sarah Huckabee Sanders, and AR Secretary of Education Jacob Oliva visited Lakewood Elementary on the Department's History Rocks! Tour.

U.S. Department of Education and U.S. Department of Labor Announce Historic Expansion of WIOA Combined State Plans

May 13, 2026

The U.S. Departments of Education (ED) and Labor (DOL) today announced a major milestone in federal efforts to strengthen alignment across education and workforce systems.

Secretary McMahon Announces $144M Boost for Students with Disabilities
May 13, 2026
Today, U.S. Secretary of Education Linda McMahon announced a new $144 million investment by the Trump Administration to help states expand proven interventions that support students with disabilities.

U.S. Department of Education Announces Grant Competition to Empower States Through a Reimagined Comprehensive Centers Program
May 12, 2026
Today, the U.S. Department of Education (ED) issued the Fiscal Year (FY) 2026 competition for the Comprehensive Centers Program, reaffirming the Trump Administration's commitment to return education to the states.

U.S. Department of Education & Department of Labor Announce Additional Grant Competitions Under Elementary and Secondary Education Partnership to Promote Career Pathways
May 11, 2026
Today, the U.S. Departments of Education (ED) and Labor (DOL) issued the Fiscal Year (FY) 2026 competition for the Career Pathways Exploration (CPE) and Teacher Quality Partnership (TQP) Programs.

U.S. Department of Education Senior Advisor for Civic Education Katie Gorka Highlights Civics Education at History Rocks! Event in California
May 8, 2026
Today, U.S. Department of Education Senior Advisor for Civic Education Katie Gorka visited Canyon Hills Junior High School as part of the Department of Education's national History Rocks! Trail to Independence Tour.

U.S. Department of Education and U.S. Department of Health and Human Services Announce First Grant Competitions Under Family Engagement and School Support Partnership

May 8, 2026

Today, the U.S. Departments of Education and Health and Human Services issued the Fiscal Year 2026 competitions for the Ready to Learn Program and the Promise Neighborhoods Program.

U.S. Department of Education Office for Civil Rights Opens Disability Discrimination Investigation into Texas School District

May 8, 2026

Today, the U.S. Department of Education's Office for Civil Rights opened an investigation into the Houston Independent School District in Houston.

U.S. Department of Education Initiates Investigation into Bay County, Florida School District for Alleged Antisemitic Discrimination

May 8, 2026

Antisemitism is on the rise in K-12 schools across the country, and some school districts are seemingly tolerant of it. Today, the U.S. Department of Education's Office for Civil Rights is opening a complaint against Bay County, Florida School District.

U.S. Secretary of Education Linda McMahon Visits Alaska on Returning Education to the States and 'History Rocks!' Nationwide Tours

May 8, 2026

Today, U.S. Secretary of Education Linda McMahon visited Mat-Su Career & Tech High School in support of the Returning Education to the States Tour and Knik Charter School as part of the 'History Rocks!' Trail to Independence Tour.

U.S. Department of Education Senior Advisor for Civic Education Katie Gorka Highlights Civics Education at History Rocks! Event in Colorado

May 7, 2026

Today, U.S. Department of Education Senior Advisor for Civic Education Katie Gorka visited Liberty Common Junior High School and Liberty Common High School as part of the Department's national History Rocks!.

Fact Sheet: The Trump Administration is Making College More Affordable
May 6, 2026
Higher education has been one the fastest-growing expenses for American families over the past 40 years. A significant driver of skyrocketing prices has been uncapped access to federal student loans.

U.S. Department of Education Opens Title IX Investigation into Los Angeles Unified School District
May 5, 2026
The Los Angeles Unified School District appears to be protecting sexual predators at the expense of its students. Today, in response, the U.S. Department of Education's Office for Civil Rights opened a directed investigation into the District.

U.S. Department of Education Chief of Staff Madi Biedermann Highlights Civics Education at 'History Rocks!' Event in Utah
May 4, 2026
Today, U.S. Department of Education Chief of Staff Madi Biedermann visited George Washington Academy as part of the Department's national History Rocks! Trail to Independence Tour.

U.S. Department of Education Opens Title IX Investigation into All-Women's Smith College for Admitting Men
May 4, 2026
Today, the U.S. Department of Education's Office for Civil Rights (OCR) opened an investigation into Smith College, one of the nation's largest all-women's colleges, for admitting biological men and granting them access to women-only spaces.

U.S. Department of Education Celebrates Presidential 1776 Award Regional Semifinals
May 4, 2026

The U.S. Department of Education celebrates the Presidential 1776 Award Regional Semifinals, which took place on Saturday, May 2nd, 2026.

U.S. Department of Education and U.S. Department of Labor Announce Additional Grant Competition Under Elementary and Secondary Education Partnership
May 1, 2026

Today, the U.S. Departments of Education (ED) and Labor (DOL) issued the Fiscal Year (FY) 2026 competition for the Competitive Grants for State Assessments (CGSA) Program.

Generative Artificial Intelligence and the Individualized Education Program

By: Sienna Bascus, Camryn Ellison, Silvia Roman, Sarah Sepe, Raena Thelwell, and Alva Ward

Abstract

Generative artificial intelligence is increasingly being used in special education to assist with IEP goal development, data synthesis, and related compliance tasks. This literature review examines recent research on generative AI in the development, implementation, and evaluation of IEPs. Across studies, two themes recur: increased efficiency and structured support for educators. Findings suggest that AI-assisted tools may improve goal quality for less experienced teachers and broaden goal coverage in some preschool contexts, while experienced teachers often produce goals of comparable quality with or without AI support. The literature also identifies significant risks, including reduced individualization, overreliance, bias, privacy concerns, and uncertainty regarding legal and ethical compliance. Overall, current evidence supports generative AI as a support tool rather than a substitute for educator expertise. Human oversight, careful review, and clear implementation of safeguards remain essential.

Introduction

The use of generative AI in special education contexts is growing, particularly in data analysis, lesson planning, and the creation of Individualized Education Programs (IEPs). Generative AI has been proposed as a support tool within special education to help teachers synthesize vast amounts of student data, create quantifiable goals, and enhance the effectiveness of documentation procedures. According to recent studies, generative AI tools like ChatGPT are

increasingly being used to help both novice and experienced teachers create IEP goals and match them to the needs of their students. These developments suggest that generative AI may support complex tasks and reduce administrative burden on special education teachers.

However, the application of generative AI raises serious concerns related to accuracy, ethical responsibility, and the integrity of IEP implementation, notwithstanding its potential. Research on AI-generated IEP goals shows that although these tools can provide measurable, structured goals, there is variation in the goals' appropriateness, quality, and individualization. Additionally, overreliance on generative AI systems could result in programming that is too general and does not sufficiently account for the special needs of students with disabilities. These problems make generative AI in special education a developing at-risk area, especially when technology is applied without adequate supervision, training, or critical assessment.

Generative AI has become relevant to the development and implementation of IEPs since these procedures require accurate, customized, and legally compliant documentation. According to the Individuals with Disabilities Education Act (IDEA), IEPs must be customized to meet the unique needs of each student and include precise, quantifiable goals as well as regular progress tracking. There are dangers and opportunities associated with integrating AI into this process. While generative AI may support data organization and goal framework suggestions, its inappropriate use could jeopardize the integrity and fidelity of IEPs, ultimately affecting student outcomes. The importance of ensuring that generated goals remain developmentally appropriate and aligned with evidence-based practices is further highlighted by research investigating generative AI integration in preschool and K–12 settings.

This literature review examines generative AI's function in special education, with a particular emphasis on its application in the development, implementation, and evaluation of

IEPs. This review evaluates the advantages and disadvantages of these tools, as well as the factors influencing their adoption among educators, by combining the most recent research on generative AI-assisted practices. This review also aims to emphasize the consequences for educators, educational systems, and students with disabilities, as well as to identify potential concerns related to the usage of generative AI. To guarantee that developing technologies are applied in ways that improve rather than impair the caliber and efficacy of special education services, it is essential to understand these dynamics.

Opportunities and Promising Uses of Generative AI in Special Education

This section examines how the literature evaluates the ways generative AI may support special education contexts, with particular attention to IEP development, administrative practice, and instructional decision-making. Several studies suggest that generative AI may support special education practice by addressing two of its most persistent and interconnected challenges: the burden of documentation and the quality of developing Individualized Education Programs. Taken together, the literature indicates a consistent pattern that generative AI tools may meaningfully reduce educator workloads. When used intentionally and with professional oversight, generative AI tools may also strengthen the quality of support designed for students with disabilities.

One of the most direct areas of promise involves developing IEP goals. Rakap (2024) examined the use of ChatGPT among novice special education teachers tasked with writing IEP goals for students with autism. Using a randomized design and the Revised IEP/IFSP Goals and Objective Rating Instrument (R-GORI) as an outcome measure, the study found that teachers in the ChatGPT condition produced goals of significantly higher quality while spending significantly less time on the task than peers in the control group. Notably, the goals generated

with AI assistance were more comprehensive, addressing specific student strengths and needs rather than defaulting to generic language. This finding matters because it suggests that generative AI may improve efficiency without reducing individualization. Individualization costs can be a concern in special education because legal compliance requires that goals reflect each student's unique present levels of performance. Critically, the benefit was present regardless of whether participants had received prior formal training in IEP development, which suggests that generative AI may function as a meaningful equalizer for educators who enter the field with less preparation in this high-stakes skill.

Along with these findings suggesting potential improvements in goal quality, generative AI may also broaden the developmental range of goals produced. Rakap and Balikci (2026) extended this line of inquiry to preschool-age children with autism, and their study found that teachers who used ChatGPT produced goals with statistically higher quality ratings than a comparison group who did not. An additional pattern emerged in the distribution of goal domains: the control group's goals concentrated on preacademic skills and behavior, whereas the ChatGPT group's goals addressed a broader range of developmental areas. This broader range includes communication, social skills, motor and sensory development, and self-care. This finding is important because it suggests generative AI may prompt educators to consider domains they might otherwise overlook under time pressure. Thus, generative AI may produce more holistic and legally compliant IEPs. Despite this potential, the authors described their study as preliminary, and the small sample size warrants caution in generalizing these findings to broader populations or disability categories.

Research indicates that generative AI tools may also assist educators in navigating the structural demands of IEP compliance without diminishing goal quality at the

experienced-teacher level. Waterfield et al. (2026) conducted a convergent mixed-methods study with experienced special educators across multiple states, comparing the quality of IEP goals written independently to those produced with ChatGPT assistance. While quantitative analysis revealed no statistically significant difference in rated goal quality between the two conditions, qualitative data indicated that participating teachers held predominantly positive perceptions of generative AI as a tool for managing their workload. This absence of a quality difference is meaningful because it implies that for experienced educators, AI does not degrade the standard of their work. Rather, it redistributes their cognitive effort. When teachers are not spending limited planning time generating sentence structure and goal formatting from scratch, they have more capacity to apply their professional judgment to the substantive decisions that require it: interpreting assessment data, weighing student preferences, coordinating with families, and monitoring implementation. This finding, as well as Rakap's (2024), suggests generative AI's benefit may be most striking for those with the least preparation and least disruptive for those with the most, which provides a distribution that has equity implications across the field.

Beyond IEP goal writing, generative AI may also support the broader administrative infrastructure within which IEPs are developed and monitored. Marino and Vasquez (2024) presented an exploratory mixed-methods case study in which special education administrators utilized a generative pre-trained transformer with specific "data analyst" functions within a generative AI platform to synthesize large and disparate student data sets. What had previously constituted a three-month administrative project involving the integration of case manager records for hundreds of students was completed in just three days. The generative AI synthesized the data and generated a narrative summary supporting graphics that administrators then used to inform staffing decisions and resource allocation. This finding extends the conversation about

generative AI in special education beyond the individual teacher and the IEP document. If generative AI can support administrators in making data-driven decisions about caseloads, resource distribution, and compliance monitoring at scale, then its utility may be felt indirectly but substantively at the student level through better-resourced and better-supported classrooms. Marino and Vasquez (2024) acknowledged, however, that challenges using AI-generated outputs can include data consistency, staff training, and administrator familiarity, which require solutions before reliably implementing generative AI at a district level.

Collectively, these findings suggest that generative AI's most defensible promise in special education is a support function. Generative AI is a tool that amplifies educator capacity in specific, bounded tasks rather than displacing the professional judgment that is both legally and ethically required. The literature reviewed here does not support the conclusion that generative AI should operate autonomously in IEP development or administrative decision-making. Rather, it supports the more modest but practically significant claim that generative AI may help educators work more efficiently without reducing, and in some cases improving, the quality of individualized planning for students with disabilities when implemented under appropriate conditions. The conditions in which the literature reports benefits matter considerably: structured prompting, AI literacy, human review, and institutional support appear consistently across studies as factors that mediate whether generative AI use produces meaningful gains or introduces new risks. These conditions can serve as contextual examples to responsibly incorporate generative AI into special education.

Risks, Limitations, and At-Risk Areas

Despite these promising applications, the literature identifies several significant risks and limitations in AI-assisted IEP development and special education practice. These concerns

include reduced individualization, overreliance, and diminished educator engagement with students' needs.

In 2025, Waterfield et al. conducted a study that compared IEPs written by human educators to those created by the AI platform ChatGPT. The study reported that although these AI-generated goals were well structured and useful as a starting point, they lacked the professional judgment required in educational decision-making. Because AI-generated content is created strictly from written prompts rather than full-range information that human educators gather (observations, familial input, student relationships), it cannot capture the full depth of information required. The result is an IEP with generalized, generic language which can be widely applied to nearly any student. Generative AI doesn't "know" any of the students that it's producing IEPs for; it can only produce from the information it's given. Documented data alone are insufficient for developing a strong IEP; contextual and relational information also matter. Relevant considerations may include family context, cultural factors, and variation in student behavior across instructional settings. Most of these behavioral nuances are typically understood through observations from teachers or families and are sometimes hard to put into words to get an accurate generative AI-written IEP in response; this is a major limitation.

It's important, Naatz & Ruppar (2026) say, for educators to always keep in mind that AI should not be seen as a time-saving tool rather than a resource to enhance teachers' skills in helping support students with disabilities. However, this mentality is often not the case, Naatz & Ruppar argue. It's easy to get carried away when using generative AI and cognitively check out; you type in a prompt, and the generative tool produces a masterfully written IEP plan. As educators, it's so important to ensure that professional judgment and human oversight in teaching and decision-making remain, because they are the ones responsible for addressing any possible

errors, biases, or inequalities that are embedded into the technology. When trained on unbalanced, unrepresentative, or stereotypical data, generative AI can feed off this and produce discriminatory responses. If left unchecked, which very well could happen if educators become too trusting and over-reliant on these generative AI tools, this type of stereotypical, misinformed data could end up in a child's IEP.

To summarize, the use of generative AI in the generation of IEPs introduces both significant opportunities and limitations. While it can increase efficiency and support organization, it also raises major concerns related to individualization, bias, and overreliance. These risks and limitations emphasize the importance of maintaining professional judgment and human oversight in special education, where educators must evaluate their students based on both qualitative and quantitative data. These educators must also be ready to critically evaluate the AI-generated responses to ensure that IEPs remain accurate and supportive to the unique needs of every student.

Legal, Ethical, and Compliance Considerations

The risks, limitations, and at-risk areas highlight concerns that extend beyond instructional quality and into legal and ethical responsibilities. IEPs are legally binding documents governed by federal law. Issues such as lack of individualization, bias, and overreliance on generative AI raise important questions about compliance, student rights, and, most importantly, data protection. Legal guidelines, privacy, ethical considerations, and accuracy remain unclear. Although federal laws protect students and families, it is still necessary to examine how the use of generative AI tools aligns with legal standards and ethical expectations in special education.

Legal guidelines and potential ramifications of using generative AI tools in the special education classroom, especially for writing Individualized Education Plans (IEPs), remain unclear. The Individuals with Disabilities Education Act (IDEA) requires that every student's IEP be individualized, based on their current performance, and designed with clear, measurable goals. While generative AI tools may support the organization and structure of an IEP, these tools cannot capture the full picture of a student. Generative AI systems often rely on patterns from large datasets, leading to generalized responses. This becomes a major problem when the law requires individualized educational planning. For IEPs to be student-centered, both the knowledge of the student and the expertise of education professionals are essential. Generative AI tools do not know the students. Therefore, it is crucial for teachers to rely on student data to guide the creation of IEPs. If AI-generated content is used, teachers must review and revise it to ensure it accurately reflects the student and meets legal standards.

As generative AI tools become easier to access, more educators may be tempted to input student information into these tools, compromising the privacy of students and families. Most generative AI tools are not designed with educational privacy laws in mind. Therefore, sensitive information such as disability status, academic performance, or behavioral data can be exposed when entered unsecured systems. As noted above, laws such as FERPA and IDEA are intended to protect this information from unauthorized disclosure; however, many generative AI tools operate outside school-controlled environments and may lack these guardrails. Research has shown that even when systems seem secure, identifying information can still slip through (Marino & Vasquez, 2024). On top of that, there is often very little transparency about how long data is stored or who can access it (Naatz & Ruppar, 2026). Because of these risks, educators must exercise caution when using generative AI tools to support IEP writing.

In addition to privacy, ethical concerns also come into play, especially because IEP development is not just a technical task but a collaborative effort involving multiple professionals and sources of information. Teachers rely on more than just data to develop an IEP. They consider family input, cultural context, behavior patterns, social-emotional needs, and if applicable, input from related service staff. Generative AI cannot fully account for these things. When educators rely too heavily on generative AI, there is a risk that their professional judgment takes a back seat (Naatz & Ruppar, 2026). That is where problems can arise. There is also the issue of bias. Generative AI systems are trained on existing data, and if that data contains bias, those same biases can appear in AI-generated recommendations (Waterfield et al., 2026). This is why the research consistently stresses that generative AI should support teachers, not merely replace them. Educators are still responsible for reviewing, questioning, and refining anything generative AI produces (Rakap & Balikci, 2026).

There are also important legal considerations related to parent and student rights. IDEA gives families a voice in the IEP process. These rights allow them to participate, give consent, and challenge decisions if needed. If generative AI is used behind the scenes without clear communication, that transparency starts to break down. For example, if a parent asks how a goal was developed and the teacher cannot clearly explain it because generative AI was used, that may create confusion or mistrust. This becomes even more serious in situations involving disputes or due process. Overall, decisions must be based on data, observations, and professional reasoning. Teachers must be able to explain and carry out goals and plans for IEPs. That is why professional expertise must remain at the center of every decision.

Educators must remember that IEPs are legally binding documents, so the details matter. Even though AI-generated text often looks polished, it may still be incorrect or inappropriate for

a specific student. In some cases, the language may be too vague or not fully aligned with actual assessment data (Waterfield et al., 2026). In addition to accuracy, generative AI doesn't show its reasoning in a clear, traceable way. If a decision is ever questioned, it can be difficult to explain how that output was created. Because of this, teachers must carefully review everything, ensuring it aligns with real student data and can be defended if needed (Rakap, 2024).

Generative AI is a tool that should be used within clear parameters and with care. Current research supports using generative AI as a starting point, not a final product. It can help with drafting, organizing ideas, or structuring goals, but it should never be used to make final decisions about placement, services, or outcomes. Those decisions require professional expertise and an understanding of the law. Studies continue to emphasize the importance of training, clear guidelines, and ongoing oversight to make sure generative AI is used appropriately (Rakap & Balikci, 2026; Marino & Vasquez, 2024).

Generative AI can be helpful, but it cannot replace the role of the educator. Legal compliance, ethical responsibility, and student-centered decision-making all depend on active professional involvement. Generative AI can function as a support tool, and it is important that educators do not use it as a decision-maker (Waterfield et al., 2026; Rakap, 2024). When used thoughtfully and responsibly, it may improve efficiency. But without careful oversight, it can also create serious legal and ethical issues in special education.

Synthesis and Practitioner Perspectives

When synthesized across studies, the literature indicates that generative AI is most useful in special education when it is used as a support tool rather than a replacement for teacher expertise. Across the research, a clear pattern shows that generative AI may improve efficiency and provide structure, especially for IEP goal writing and organizing student data. At the same

time, concerns about accuracy, over-reliance, and maintaining individualization are consistently noted. This shows that the impact of generative AI depends on how it is used in practice.

Across studies, the benefits are most noticeable for teachers who need more support with developing IEP goals. Research shows that beginner teachers produced higher-quality goals when using generative AI, while experienced teachers produced goals of similar quality with or without generative AI support (Rakap, 2024; Waterfield et al., 2026). This suggests that generative AI may assist less experienced teachers in turning present levels into measurable and individualized goals. However, the literature also makes it clear that AI-generated goals can become too general if they are not carefully reviewed, which can take away from the individualized focus required under IDEA.

From a practitioner perspective, these findings suggest that generative AI should be used as a starting point rather than a final product. Teachers and IEP teams can use it to support drafting, organizing information, and generating ideas, but they remain responsible for ensuring that goals are aligned with student data and are developmentally appropriate. At the school and district level, research supports cautious implementation, particularly around data accuracy, staff training, and ethical use (Marino & Vasquez, 2024; Naatz & Ruppar, 2026). Overall, the literature indicates the importance of maintaining professional judgment and clear expectations for use so that IEPs remain individualized and legally compliant.

Conclusion

The literature supports not an expansive, but a measured claim about generative artificial intelligence in special education. As such, generative AI is best interpreted as a bounded support tool, not a broad solution. Its primary usefulness in IEP development is in organizing information and drafting goals. This can reduce the documentation burden tied to compliance tasks. These

benefits appear strongest for educators who need additional support in translating present levels into clear, measurable, individualized annual goals and are stronger for less experienced educators. With more experienced educators, generative AI-assisted goals are often comparable to independently written goals, and there is no evidence of consistent superiority. The literature also suggests that developmental context matters. Findings vary by setting and age group. Early childhood studies reveal broader developmental coverage, with greater attention to communication, self-care, and motor/sensory domains. As important as what the literature supports is what it does not support. It does not support generative AI as an autonomous decision maker, as a replacement for educator judgment, nor as a final authority in IEP development or implementation. Concerns throughout the studies include overreliance, reduced individualization, bias, privacy, data quality, and legal compliance. The strongest defensible position of generative AI at this moment is that it may improve efficiency; it may provide structural support, but both benefits depend on the conditions under which the tool is used. While current research is still limited and unable to support broad claims yet, now is the time to create safeguards and necessary conditions for use. These non-negotiables include trained professional review of all outputs, careful handling of student-specific data, legal and ethical safeguards, and ongoing human oversight. Future research requires more disability categories, more age groups, more school settings, and attention to implementation fidelity, decision-making quality, and student outcomes. Generative AI can be effectively used as a support mechanism in a judgment-intensive process. It is not a substitute for individualized obligations in special education. It is not a substitute for educator expertise.

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Assistive Technology Challenges in IEPs and Classroom Practice

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Literature Review

Assistive technology (AT) is an essential component of equitable special education practice, offering students with disabilities increased access to instruction, communication, and participation. When implemented appropriately, AT can reduce academic barriers, support independence, and promote inclusion across a range of educational settings. Despite its potential, research consistently shows that AT is not always considered, selected, or used in ways that align with best practices. Instead, students often encounter fragmented systems where AT is overlooked during Individualized Education Program (IEP) meetings, implemented inconsistently, or limited by outdated devices and inequitable access. These gaps increase the risk that students with disabilities will not receive the full benefits of technologies designed to support their learning.

Understanding these at-risk areas is critical because AT decision-making does not occur in isolation; it reflects broader systemic issues related to teacher training, resource allocation, school-wide accessibility policies, and the level of collaboration among educators, families, and specialists. When AT is not discussed during IEP development, when educators are unsure how to use devices with fidelity, or when families lack training to support communication tools at home, students experience missed opportunities that affect their academic and social progress. Therefore, a review of the literature is needed to examine the challenges that continue to limit AT's effectiveness in schools and identify the factors that place students at risk for receiving inadequate support.

This literature review synthesizes research on five interconnected challenges: (1) assistive technology not being considered during IEP meetings, (2) reliance on outdated or inappropriate technology, (3) inequitable access to AT across schools and districts, (4) teacher and parent training needs, and (5) implementation fidelity concerns. In addition,

our group's professional experiences: as educators, ESE liaisons, and Registered Behavior Technicians (RBTs) provide real-world insight into how these challenges manifest within school systems. By integrating research with practitioner perspectives, this review highlights the systemic issues that hinder effective AT use and identifies recommendations for improving access, training, and implementation across educational environments.

AT not Considered during IEPs

Although the Individuals with Disabilities Education Act (IDEA) requires IEP teams to consider AT for every student with a disability, research shows that this step is not consistently implemented. In their systematic review, Fernández-Batanero et al. (2022) found that AT is widely recognized as beneficial for improving accessibility, participation, and overall inclusion, yet its use in schools remains inconsistent. Their analysis shows that AT is often not embedded into routine educational planning, including the processes of IEP development, despite its documented potential to support academic engagement and independence.

The authors note that many schools lack structured procedures to help IEP teams identify and discuss AT options, This absence contributes to uneven decision-making, resulting in AT being overlooked when teams evaluate student needs. Although AT has the potential to enhance learning and expand participation, the studies reviewed by Fernández-Batanero et al. (2022) reveal that it is frequently omitted from planning conversations, suggesting that AT consideration is not yet a systematic or intentional part of the IEP development.

Our group's professional experiences closely reflect these findings. Across our roles as general education teachers, special educators, and RBTs, we have participated in numerous IEP meetings where AT is rarely discussed. Typically, discussions focus heavily on accommodations, behavioral supports, or service minutes. AT, however, is often absent from the conversation. These real-world observations align with the patterns

identified by Fernández-Batanero et al. (2022), who emphasize that AT continues to be underutilized despite its demonstrated benefits.

Together, the research and our collective experiences suggest a critical issue: AT consideration is not yet a consistent or embedded component of IEP meetings in many educational settings. When AT is not discussed, students may miss opportunities to receive tools that could enhance learning, communication, and promote independence. Ensuring meaningful AT consideration during IEP development is therefore a key step in improving equitable access that supports and promotes inclusion.

Outdated/Inappropriate

Technology integration in K–12 special education (SPED) is both an equity concern and a financial challenge, as many schools lack the resources to provide up-to-date AT that aligns with students' individualized needs. Although AT is intended to enhance access and promote learning, students frequently encounter devices that are outdated, unreliable, or poorly matched to their disability-related needs. Starks and Reich (2022) found that budget limitations and inequitable resource allocation significantly restrict the availability of appropriate AT in schools, often forcing teachers to rely on general-purpose technologies that do not fully support accessibility. These systemic barriers highlight a mismatch between what AT is designed to provide and what students actually receive in practice.

The findings from Starks and Reich (2022) further illustrate how these resource limitations affect everyday practice. In their study, 65% of teachers reported inadequate student access to devices, Additionally, 90% of participants reported insufficient technology focused training, contributing to SPED teachers feeling "left out" of district-level technology planning and decision-making. When educators lack both updated tools and the support needed to use them effectively, reliance on outdated or generic devices becomes the default.

Collectively, these challenges restrict students' opportunities to engage with AT

tools that support communication, independence, and participation. Outdated or poorly matched technology not only limits access to curriculum but also undermines efforts to design inclusive learning environments. The literature underscores the need for more equitable resource distribution, specialized professional development, and sustainable funding structures to ensure that SPED classrooms have AT that is current, functional, and responsive to student needs.

Equity and Access

Equitable access to AT remains a persistent challenge in special education, as resources, training, and policy implementation vary widely across districts. Even when AT is included in policy language, students' actual access to devices and support often depends on local priorities and funding decisions. In a multiple case study of U.S. school districts, Shaheen (2022) found that students' access to accessible and assistive technologies was strongly influenced by how districts interpreted and enforced accessibility requirements. Although federal law mandates equitable access, Shaheen's findings show that implementation is uneven, resulting in significant disparities in the availability and quality of AT across educational settings.

A recurring challenge involves gaps in teacher knowledge and misconceptions about what qualifies as AT. Many educators assume that AT refers only to high-tech tools, which leads to the underuse of low-tech supports, such as graphic organizers, visual schedules, timers, or adapted materials, that fall squarely under IDEA's definition of assistive technology. When teachers overlook these tools, they also overlook opportunities to support student learning with easily accessible, low-cost options. These misconceptions contribute to inconsistent AT documentation in IEPs and missed opportunities to integrate AT into classroom routines.

Shaheen's (2022) research underscores that equity in AT access is shaped by three interconnected factors: district funding decisions, educator preparation, and the level of commitment to enforcing accessibility policies. Improving equity will require districts to

establish clear procedures for AT evaluation, prioritize ongoing professional development, and implement stable funding systems that support timely access to appropriate devices. When educators have both the tools and the knowledge needed to use AT effectively, schools can provide more consistent and equitable support that enhances learning for students with disabilities.

Teacher/Parent Training

AT and augmentative and alternative communication (AAC) play a critical role in supporting students with disabilities by expanding their access to instruction and enhancing communication. Understanding how these tools are used in classrooms and at home is essential, particularly because their effectiveness depends heavily on the adults who support them. Research shows that when teachers and families receive appropriate training, students who rely on AT or AAC demonstrate stronger communication, participation, and academic progress.

Hansen and Donne (2025) examined how special education teachers incorporate AT into classroom practice, finding that although many educators feel confident using basic technologies, they often lack formal training and ongoing support. Teachers reported frequent use of universal tools; such as touchscreens, keyboards, and basic computer accessories, but far less comfort with specialized AT, including AAC systems, adaptive switches, and eye-gaze technology. Despite nearly two-thirds of participants having students who relied on AAC, many indicated a need for additional professional development and more consistent guidance from AT coordinators or specialists. These findings suggest that limited training creates gaps between students' needs and teachers' comfort or expertise in using advanced AT tools.

While Hansen and Donne (2025) focused on school-based implementation, Soto and Vega (2024) explored how families are prepared to support AAC at home. Their review of caregiver training programs identified several competencies that improve children's communication outcomes, such as responsivity, setting up the environment to

encourage interaction, using wait time, modeling language through AAC, providing prompts, and recasting or expanding children's communicative attempts. However, Soto and Vega (2024) found that many parents receive minimal training and often feel overwhelmed by the responsibility of managing complex communication systems on their own. The authors emphasized the importance of strong home–school collaboration to help children transfer communication skills across settings.

Together, these studies highlight that teacher and parent training are essential components of effective AT and AAC use. When educators and caregivers lack structured preparation, coaching, and ongoing support, students have fewer opportunities to practice communication skills or apply AT tools meaningfully. Improving training requires targeted professional development, clear and accessible family training programs, and consistent collaboration among teachers, therapists, and families. When the adults who support a child are confident and well-prepared, assistive technology can lead to significant gains in communication, engagement, and academic success.

Fidelity

High-fidelity implementation of AT is critical for ensuring that students receive the full benefit of the tools provided to support communication, learning, and participation. Fidelity refers to how accurately and consistently educators embed AT into daily instruction; modeling device use, integrating it across activities, and individualizing the system to meet student needs. Even when AT is available, inconsistent or partial use can significantly limit its impact.

Evmenova et al. (2022) examined how schools move from initial adoption of technology to sustained, high-quality implementation, offering insights that align closely with fidelity challenges in AT. Their findings show that educators are more likely to use technology with fidelity when they have structured opportunities to practice, receive feedback, and reflect on implementation. Without these supports, technology use becomes irregular or superficial, reducing the likelihood that students will engage with

AT consistently throughout the school day.

A key contribution from Evmenova et al. (2022) is the emphasis on ongoing coaching rather than one-time training. Their research indicates that fidelity improves when teachers receive continuous guidance that helps them integrate technology into existing instructional routines. This process builds the confidence and fluency necessary to use AT naturally and effectively, rather than viewing it as an additional or isolated task. For AT specifically, this means embedding device use in authentic communication opportunities, modeling vocabulary, and providing students with repeated practice across contexts.

Importantly, the work of Evmenova et al. (2022) positions fidelity as a systems-level component of effective technology use. High-fidelity implementation requires clear expectations, time to collaborate with specialists, and consistent opportunities for skill development. When these elements are in place, AT is more likely to be used as intended; supporting communication, increasing student engagement, and strengthening access to Instruction.

Across the literature, it is evident that AT can significantly improve communication, participation, and learning for students with disabilities, yet many barriers prevent its full impact. AT is not always considered during IEP meetings, and when devices are provided, they are often used inconsistently or with limited fidelity. Inequitable access, outdated equipment, and gaps in teacher understanding further complicate the effective use of AT in classrooms. Families also need clearer training and support to help students generalize communication skills beyond school. Together, these challenges highlight the systemic nature of AT implementation and the multiple points at which support can break down.

These findings underscore the need for stronger structures that prioritize accessibility and consistency. Schools must ensure meaningful AT consideration during IEP development, invest in sustained and high-quality professional development,

maintain reliable funding systems that allow for updated and appropriate AT devices. Strengthening collaboration among teachers, therapists, specialists, and caregivers is essential so that students receive consistent support across home and school environments. When these elements are in place, AT is more likely to be used as intended; functioning as a powerful tool for inclusion and helping students participate more fully, communicate more effectively, and engage confidently in their educational environments.

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