

Artificial Intelligence: Using Robots in Special Education

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Agenda

- 💧 What is Artificial Intelligence?
- 💧 Provision of AI to Students with Disabilities
- 💧 AI Case Law
- 💧 Benefits of Using AI
- 💧 Cautions of Using AI

Disclaimer: The information in this handout and presentation is for the purpose of providing general information and is not intended to provide legal advice or substitute for the legal advice of counsel.

What is Artificial Intelligence?



What is Artificial Intelligence (AI)?

- ◆ It depends on who you ask because AI tools are capable of a wide range of tasks and output.
- ◆ According to NASA, AI refers to computer systems that can perform complex tasks normally done by human-reasoning, decision making, creating, etc.
 - ◆ Any artificial system that performs tasks under varying and unpredictable circumstances without significant human oversight, or that can learn from experience and improve performance when exposed to data sets.
 - An artificial system developed in computer software, physical hardware, or other context that solves tasks requiring human-like perception, cognition, planning, learning, communication, or physical action.
 - An artificial system designed to think or act like a human, including cognitive architectures and neural networks.
 - A set of techniques, including machine learning that is designed to approximate a cognitive task.
 - An artificial system designed to act rationally, including an intelligent software agent or embodied robot that achieves goals using perception, planning, reasoning, learning, communicating, decision-making, and acting.

What is Artificial Intelligence?

- Types of Artificial Intelligence:

- Automation- Expands the range, complexity, and number of tasks that can be automated.
- Machine Learning- Science of teaching computers to learn from data and make decisions without being explicitly programmed to do so.
- Computer Vision- Teaching machines to interpret the visual world.
- Natural Language Processing- Teaches machines to interpret and interact with human language (translation, speech recognition, and sentiment analysis)
- Robotics- Designing machines that replicate human actions
- Generative AI- Machine learning systems that generate new data from text prompts

<https://www.techtarget.com/searchenterpriseai/definition/AI-Artificial-Intelligence#:~:text=Machine%20learning%20is%20the%20science%20of%20teaching,essentially%20an%20advanced%20form%20of%20predictive%20analytics.>

What is Artificial Intelligence?

- 🔥 Examples of Artificial Intelligence:
 - 🔥 Apple's FaceID
 - 🔥 Digital Voice Assist (Siri & Alexa)
 - 🔥 Customer Service Chatbots
 - 🔥 Internet & Streaming Recommendations
 - 🔥 Spam Detection
 - 🔥 Autonomous (Self-Driving) Vehicles
 - 🔥 Large Language Models (LLMs)- ChatGPT, Google Gemini, Anthropic's Claude, Dall-E 2, Midjourney, ElevenLabs, Runway

Provision of AI to Students with Disabilities



AI for Students w/ Disabilities

- 💧 AI is making major improvements in technology to benefit people with disabilities.
- 💧 This will change what Assistive Technology and Augmentative Alternative Communication Devices (AAC) are available for students with disabilities in the near future.
- 💧 We are already beginning to see AI technology improvements for use with students with disabilities, such as....

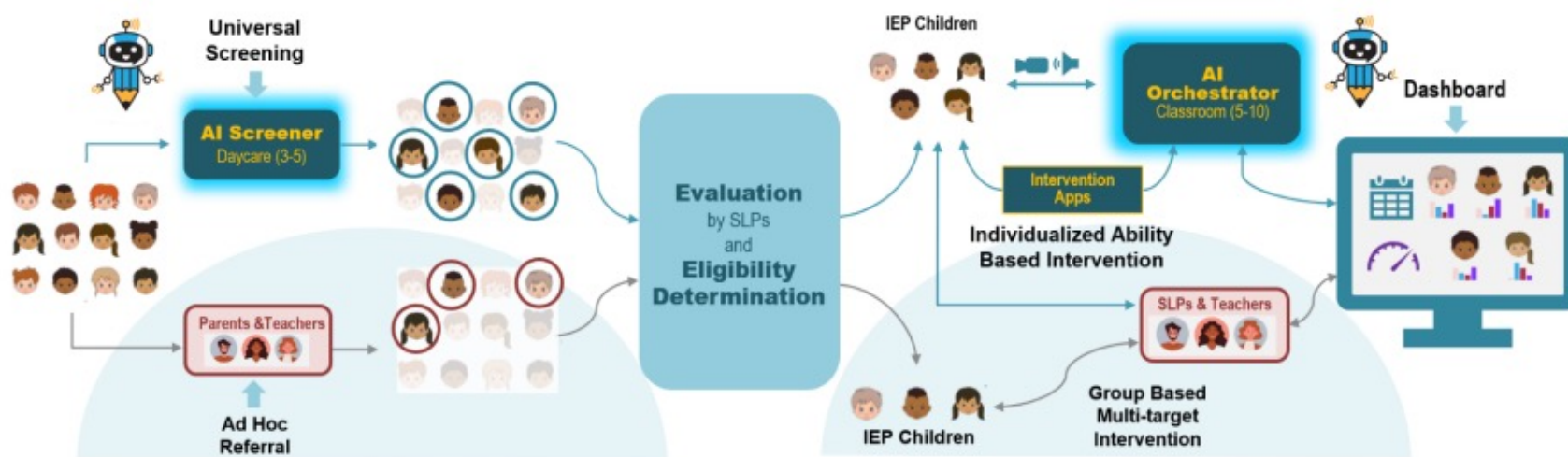
AI for Students w/ Disabilities

- ◆ Automatic Speech Recognition Software
- ◆ Automatic Captions for Web Conferencing
- ◆ Microsoft Seeing AI- Uses AI to describe people, text, and objects.
- ◆ VisText- Uses AI to describe complex charts and graphs
- ◆ ALEKS curriculum/intervention
- ◆ Speech Recognition App for the Voice Impaired (SRAVI)- Lip-reading app

AI for Students w/ Disabilities

- Ava- Mobile app that translates speech into text in real-time to allow people who are deaf or hearing impaired to take part in group conversations
- Ask Microsoft Accessibility- Free tool that teachers can use to develop accessible course content
 - Works like ChatGPT (Q&A format)

AI for Students w/ Disabilities



- ◆ The National AI Institute for Exceptional Education is working to develop two AI tools:
 - ◆ The AI Screener- Universal early screening to be used in early childhood classrooms that analyzes video and audio streams of children's interactions and conventional speech and language patterns
 - ◆ The AI Orchestrator- Used primarily in elementary classrooms to help SLPs administer interventions and assess their effects on meeting IEP goals.

<https://www.buffalo.edu/ai4exceptionaled.html>

AI Case Law



Case Law: Facts

W.A. v. Clarksville-Montgomery Cnty. Sch. Sys., 2024 U.S. Dist. LEXIS 93311 (M.D.Tenn. May 24, 2024), *affirmed* 2025 U.S. App. LEXIS 2353 (6th Cir. Feb. 3, 2025).

- ◆ The IEP of a student with a specific learning disability and a language impairment included interventions in reading (focusing on fluency and expression), math, written expression, and language.
- ◆ By high school, the IEPs no longer acknowledged that basic reading skills were deficient despite the fact that more than one teacher expressed concerns that the student could not read.
- ◆ The student used various technologies to assist him in reading and writing, which helped him receive passing grades (e.g., ChatGPT, speech to text, Grammarly, Snap&Read)
- ◆ After a reevaluation and IEE during the 11th grade identified possible dyslexia, the student began receiving private tutoring with Wilson Reading and Language. His tutor, Dr. Sarah McAfee recommended that the IEP include 1:1 tutoring using the Wilson program. However, the IEP continued to focus on fluency and expression. Cont.....

Case Law: Facts

W.A. v. Clarksville-Montgomery Cnty. Sch. Sys., 2024 U.S. Dist. LEXIS 93311 (M.D.Tenn. May 24, 2024), *affirmed* 2025 U.S. App. LEXIS 2353 (6th Cir. Feb. 3, 2025).

- ◆ The school district argued that it provided the student FAPE because he received passing marks and advanced from grade to grade, but the district court held that while “grades are significant evidence in favor of a finding that [of] FAPE,” “grades along do not render this an open-and-shut case.”
 - ◆ Here, the student’s passing grades were, in significant part, the result of technology accommodations that allowed him to “bypass the need for reading and writing skills.”
- ◆ The District Court held that the school district denied the student FAPE by failing to provide basic reading intervention that was reasonably calculated to enable him to make progress appropriate in light of his circumstances, regardless of whether the district called it “dyslexia-specific” intervention.
- ◆ The District Court affirmed the ALJ’s ordered 888 hours of comp ed (5, 1-hr sessions per week in the Wilson program) and held that the District could provide the services or outsource them (denying the parent’s request that they be provided by their preferred provider).
- ◆ The school district appealed to the 6th Circuit Court of Appeals.

Case Law: Holding

- ◆ You be the judge:
 - ◆ A) For the Parent
 - ◆ B) For the District
 - ◆ C) Split Decision

Case Law: Ruling Rationale

W.A. v. Clarksville-Montgomery Cnty. Sch. Sys., 2024 U.S. Dist. LEXIS 93311 (M.D.Tenn. May 24, 2024), *affirmed* 2025 U.S. App. LEXIS 2353 (6th Cir. Feb. 3, 2025).

- ◆ The 6th Circuit Court affirmed the district court & ALJ's decisions.
 - ◆ The Court reasoned that his educational plans remained the same through middle school, while he failed to meet any of his reading fluency goals or improve them above the 10th percentile.
 - ◆ Expert testimony established that reading fluency skills would not increase until more basic reading skills (which were not provided) were improved, and the school district did not rebut this testimony.
 - ◆ The ALJ held that W.A. was capable of reading, and the school did not try to prove that wrong.
- ◆ Thus, while the IDEA does not guarantee a particular outcome such as learning to read, when a child is capable of learning to read, and his IEP does not aim to help him do so, the IEP does not provide FAPE.

Case Law: Facts

Doe v. Regional Sch. Unit 21, 124 LRP 33180 (D.Me. Sept. 6, 2024).

- ◆ The parents of a 6th grade student with anxiety filed a motion for a preliminary injunction to permit their daughter to participate in remote instruction via a telepresence robot (provided for free) as a Section 504 accommodation due to her inability to attend school in person due to anxiety.
 - ◆ Jane's doctor wrote a letter stating it was "medically necessary" for Jane to have "video access into the classroom."
- ◆ The district had denied the request, asserting that district policy did not allow remote instruction (although an elementary school student had a telepresence robot) and instead proposed a reintegration plan, which had only been successful in getting Jane into the school building approximately 15% of the school day.
- ◆ The parents claim that a preliminary injunction (while the case was being litigated) was required to prevent Jane from experiencing irreparable harm.

Case Law: Facts



Case Law: Holding

- ◆ You be the judge:
 - ◆ A) For the Parent
 - ◆ B) For the District
 - ◆ C) Split Decision

Case Law: Ruling Rationale

Doe v. Regional Sch. Unit 21, 124 LRP 33180 (D.Me. Sept. 6, 2024).

- ◆ The Court denied the preliminary injunction because they had not met their burden of proof on the current record to establish a likelihood of success on the merits of their case.
 - ◆ While a student whose disability prohibits her from attending school only 15% of the time may be “excluded from participation in” or “denied the benefits of the services, program, or activities” of education, the parents had not met their burden to establish such a standard had been met.
 - ◆ Additionally, evidence of the use of a telepresence robot by another student in the district does not automatically establish discrimination, as the other student was in elementary (did not change classes every period) and has his own distinct qualifying disability.
 - ◆ Jane’s doctor’s opinion does not necessarily supersede the opinion’s of the district’s personnel who believed it was important for Jane to slowly integrated into the classroom without the aid of a robot.

Case Law: More Robots!

Warren Hills Reg'l High Bd. of Educ., 70 IDELR 57 (SEA NJ 2017).

- ◆ The the hearing officer found that the school district failed to provide a high school student, who was in and out of the hospital due to multiple heart surgeries, FAPE in the LRE when it provided homebound instruction instead of providing the student with a VGo robot that would allow him to participate virtually in the educational environment.

Case Law: Attorney's Fees

D.S. v. New York City Dep't of Educ., 124 LRP 15574 (S.D.N.Y. May 14, 2024).

- ◆ In a dispute over reasonable hourly rate to be awarded for the parents' attorneys, the Court rejected the law firm's reliance on ChatGPT's answer for the hourly rates for IDEA litigation.
 - ◆ The Court found the response from ChatGPT was inappropriate because "ChatGPT has been shown to be an unreliable resource."
 - ◆ The Court cited several cases where attorneys were sanctioned/criticized over the use of "non-existent" caselaw generated by ChatGPT.

S.C. v. New York City Dep't of Educ., 124 LRP 28367 (S.D.N.Y. July 24, 2024).

- ◆ Where the Court again rejected ChatGPT evidence to support the law firm's history of "aggressive fee bids."

Benefits of Using AI



Benefits of Using AI

- ◆ The world will become much more accessible for people with disabilities.
 - ◆ We are already seeing lots of accessibility tools and apps for people with vision, hearing, and speech deficits.
- ◆ Intervention Programs can use algorithms to determine mastery of skills and increase/decrease difficulty level based on student response.
- ◆ Multiple students can be using computer-based intervention programs to work at their individualized skill levels.

Benefits of Using AI

- ◆ Teachers will have tools that are quick and easy to use to increase student engagement and improve student learning.
- ◆ Student learning will be less impacted by staffing shortages and absences.
- ◆ Students can become more independent by using technology instead of having to rely on adults to access their environment.

Cautions of Using AI



Cautions with the Use of AI

Allowing Students to use AI for work production:

- ◆ There is a fairness/cheating concern when students rely on AI for work completion.
 - ◆ Is it the student's work or the machine's work?
- ◆ AI Detection & AI Watermarking tools are currently unreliable.
- ◆ Students may not actually learn the material or gain the required skills (instead relying on AI).

Cautions with the Use of AI

Allowing Students to use AI for work production:

- AI may provide information that seems to be accurate & authentic, but is not.
- There are privacy and security risks, as many AI programs “remember” information/text inquiries.

Cautions with the Use of AI

Using AI for instruction and intervention:

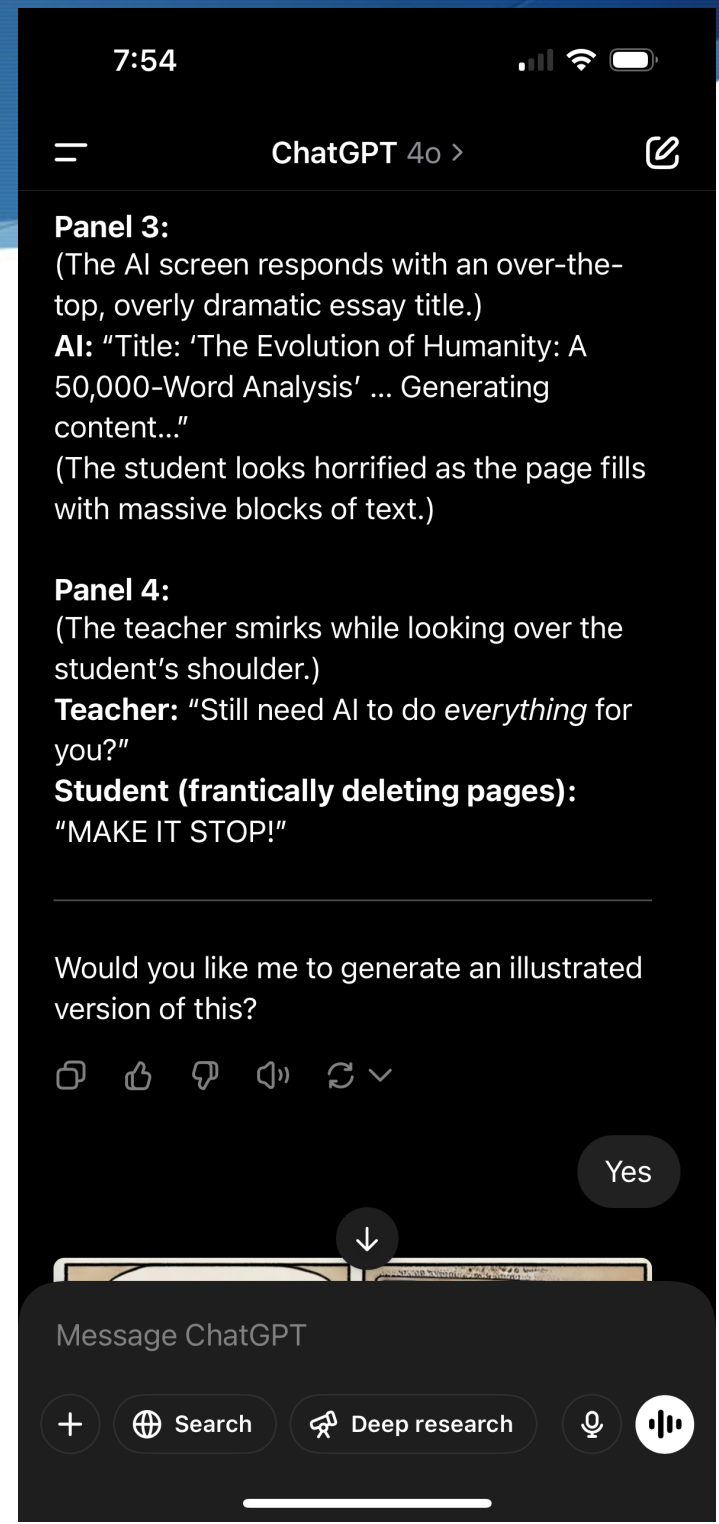
- ◆ AI lacks human-based, subjective input which is required to individualize and monitor instruction for students with disabilities.
 - ◆ The US Dept of Ed has rejected the notion that AI could replace the knowledge and expertise of a teacher.
- ◆ Progress monitoring and instructional decisions still need to be made by the teacher, based on review of the student's individual data.

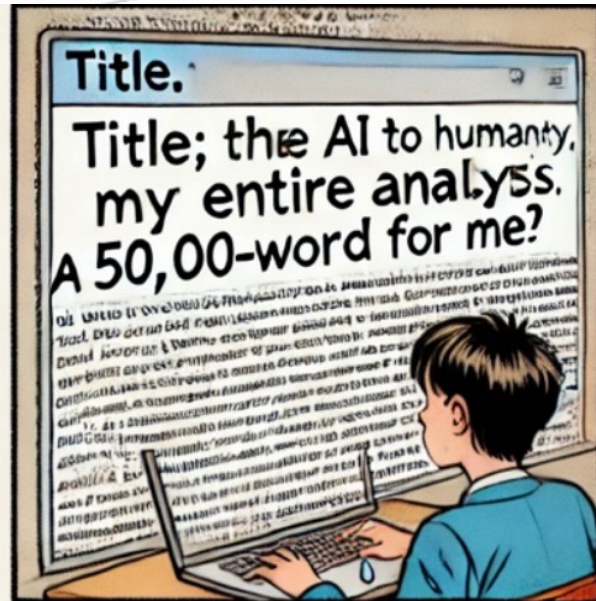
Cautions with the Use of AI

Using AI for instruction and intervention:

- ◆ Many teachers may not be comfortable with the technology.
 - ◆ Training, training, training will be important for teachers to learn how to use AI-based programs appropriately to understand the importance of teacher oversight/monitoring of student progress.

My Comic with Ghat GPT!

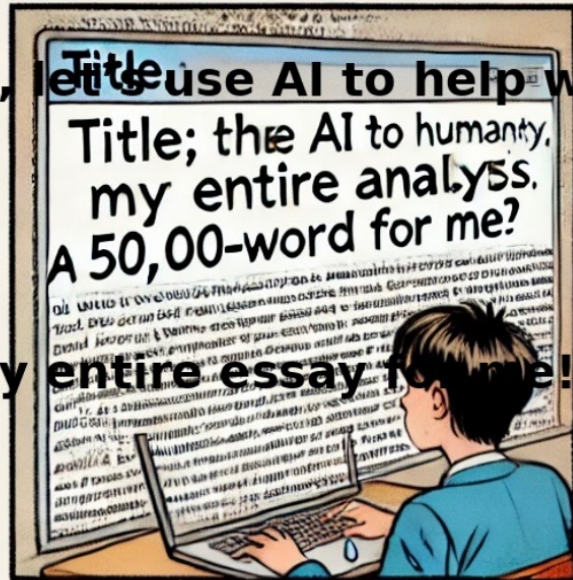




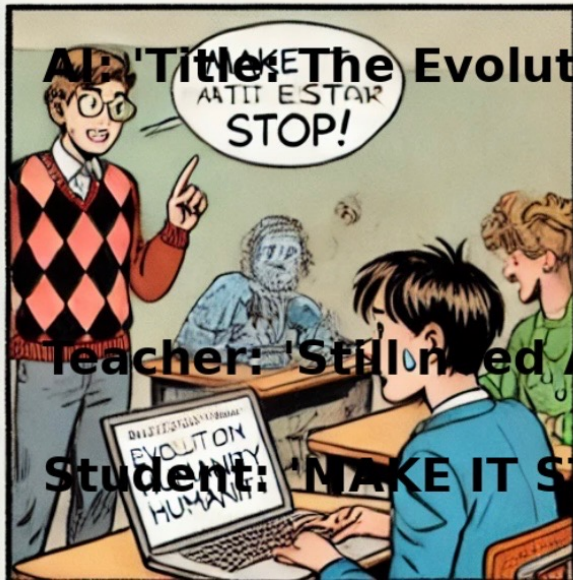


Teacher: 'Okay, class, let's use AI to help with everything for you!'

Student: 'AI, do my entire essay for me!'



Title; the AI to humanity, my entire analysis. A 50,000-word for me?



Teacher: 'Still need AI to do everything for me!'

Student: 'MAKE IT STOP!'



MAKE IT STOP! STAPP!!



Take-Away Lesson

There are a lot of benefits to AI,
but it does not replace educator
expertise and oversight.

Thank you!

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