A model procedure for AI in exceptional student education, clause by clause to the State Board's rule.

Rule 6A-1.0957, amended by the State Board on Sept. 16, 2026, has every district and charter board adopt an AI amendment to its internet safety policy by July 1, 2027. Most of the amendment governs AI instructional tools, the ones students use. One clause, (3)(e)10., reaches every use. This is the procedure an ESE office adopts under both: what a person decides, and what the office does under each clause. A district edits it; it names no product. **A model to adopt and edit, not legal advice.**

CLAUSE (3)(E)10.
A person decides
Referrals, evaluations, discipline, threat assessment and communications, for any use

PARAGRAPH (2)(B)
Two kinds of AI
Tools students use, and the rest; most of (3)(e) is written for the first

PARAGRAPH (3)(F)
Three things never deployed
AI built for a student's social or emotional needs, to be a friend, or to keep them talking

BY JULY 1, 2027
Adopted and implemented
The board adopts the policy; this is how the ESE office carries it out

DISTRICT OR CHARTER _____ BOARD POLICY NO. _____ ADOPTED _____ OWNED BY _____

1. The decision

> "Ensure that AI is never used as a decision maker absent human review for any use case, such as but not limited to: grading, evaluations, promotions, discipline, threat assessment, counseling referrals or Exceptional Student Education (ESE) referrals, or communications."
>
> Rule 6A-1.0957(3)(e)10., as noticed Sept. 18, 2026

WHERE	AI MAY	A PERSON DECIDES
ESE referral	Summarize the intervention and progress-monitoring data already on file.	The school team decides whether to refer and to ask the parent for consent to evaluate. The referral names who decided.
Evaluation	Draft a report section from scores a qualified evaluator obtained.	The evaluator who gave the assessment writes and signs the interpretation. Eligibility is the team's determination, with the parent.
IEP	Draft present levels, goals and progress notes from the record.	The case manager reviews each section before it is shared. The IEP team, the parent included, decides at the meeting.
Matrix of Services	Point to where the record documents a level.	A person rates each domain on form ESE 9291, against its checked lines.
Discipline and threat assessment	Organize records a person asked for.	No AI scoring of a threat, a manifestation question or a placement. The team decides from the record.
Communications	Draft a letter, a notice or a translation.	A staff member reads, corrects and sends it under their own name. FLDOE's own forms are used as published.

What "human review" means here

The rule does not define it. This is the district's definition; adopt it or write your own.

1. A named staff member qualified to make the decision makes it.
2. They read the whole draft against the record, not a summary of it.
3. They can change or reject any part, and rejecting it costs them nothing.
4. The decision, who made it, the date and whether AI drafted any of it are recorded.
5. There is no "accept all".

2. Under each clause of (3)(e), and (3)(f)

The rule's clauses in its own numbering, summarized; its text governs. Most govern AI instructional tools, the ones students use (paragraph (2)(b)).

1. A plain-language parent notice for each approved AI instructional tool, with an opt-in and a comparable non-AI alternative when the student uses it directly.
   ESE families get the notice in the language of the home. The non-AI alternative is checked against the student's IEP accommodations before it is offered.
2. Additional review of tools for Voluntary Prekindergarten through grade 5.
   An ESE reviewer sits on that review, and tools for prekindergarten ESE classrooms go through it too.
3. Agentic tools only under an adult's direct supervision, with a complete activity log and an off switch staff can use without the vendor.
   The supervising adult is named for any session a student with a disability has with one, and knows where the off switch is.
4. AI supplements, never replaces, teachers' professional judgment and parents' right to direct their child's education.
   An AI tool is never the whole of a service or accommodation on an IEP. If the team names one, the IEP also names the person who delivers the service.
5. Each tool and its use comply with F.S. §1000.05.
   The equity review includes disability: a tool a student with a disability cannot use is not equal access.
6. The policy covers a tool whether or not it was adopted as instructional material.
   A tool a teacher found on their own is in scope. ESE classrooms use tools from the approved list only (clause 13.).
7. Tools are accurate, transparent, viewpoint neutral and accessible to students and educators with disabilities.
   The ESE office signs off accessibility before approval: screen readers, captions, alternative input, reading level. A tool that fails is not approved for any classroom.
8. No undisclosed behavior monitoring, social scoring or psychological profiling.
   No AI tool feeds a functional behavioral assessment, a behavior plan or a progress score without the parent being told.
9. Academic integrity: plagiarism, permitted classroom use, verifying student work, showing mastery without AI.
   An accommodation the IEP names, such as text-to-speech or word prediction, is not an integrity violation. The policy says so in writing.
10. AI is never a decision maker absent human review, for any use.
    Section 1, above.
11. Training for teachers and administrators on AI risks, limits, safety and the rule.
    ESE teachers, staffing specialists, school psychologists and paraprofessionals are trained too: on section 1, and on what may never go into an unapproved tool.
12. A review of each tool's effectiveness; vendors disclose known limitations and any independent studies.
    Ask each vendor for results for students with disabilities, and record when there are none. The rule says that alone does not bar approval.
13. A public list of approved tools and the AI policies, kept current and easy for parents to find.
    The ESE parent page links to the list and to this procedure.
14. Tools keep records of student interactions for at least 30 days, for parents' access to education records.
    A parent's request for them is handled like any ESE records request: without unnecessary delay and before the next IEP meeting (34 C.F.R. §300.613).
15. Report every AI instructional tool in use to the Department: name, grades, subjects, frequency, duration; nothing per student.
    Tools used in ESE classrooms are in the district's report. No student-level data goes with it.
16. Use complies with F.S. §1006.1494 and Rule 6A-1.09550: review of online services, parent notices, vendor contracts, student information.
    No IEP, evaluation, Matrix or other ESE record goes into a tool without an executed agreement under these.
17. Tools for student use may not sell, monetize, profile or use student data to train commercial AI models; prefer storage and processing in the US.
    The ESE office applies this to every tool that touches an ESE record, staff tools included: the agreement says no training and names where data is kept.
18. Disclose to the Department any unexpected autonomous behavior, or a safety or security incident an approved tool causes, including unauthorized data access.
    Staff report it the same day through the district's incident process. ESE records involved also start the district's student-records breach steps.

(f) Never deploy AI designed to meet a student's social or emotional needs (social emotional learning included), to simulate friendship, or to keep a student engaged through relationship-building or human-like design.
No AI social-skills coach or companion for any student, including as an IEP service, accommodation or goal activity.

Keeping it. The ESE director reviews this procedure every year, and re-issues it when the rule's effective date posts or the board amends its policy. Questions go to _____ .

Sources. Rule 6A-1.0957, F.A.C.: the Notice of Proposed Rule, Florida Administrative Register Vol. 52 No. 166, Aug. 26, 2026, and the Notice of Change, Vol. 52 No. 182, Sept. 18, 2026, after the State Board's hearing of Sept. 16, 2026. Clause numbers are the noticed numbering; the summaries are ours and the rule's text governs. No effective date had posted when checked Oct. 9, 2026; the procedure is re-issued when it does. F.S. §§1000.05, 1002.22, 1006.1494; 34 C.F.R. §300.613.

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A procedure is only as good as what the record can show.

In IEPeasyhub every AI draft waits for a named person's decision, and an IEP cannot be finalized while one has none.

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Twenty questions to ask any IEP AI vendor, and our own answers, the "not yet" ones included.

A district choosing a tool that drafts anything in an IEP should get the same twenty answers from every vendor, in writing, dated. These are the questions; beside each is IEPeasyhub's answer today. Three say "not yet". They are on this sheet because a vendor whose every answer is yes has not been asked hard enough. **Hand the empty column to every vendor.**

DATA
Where the record goes
What reaches a model, under which terms, kept how long

DECISIONS
Who decides
Whether anything AI wrote can reach the record without a person

DISCLOSURE
What families see
What a parent can read about AI in their own child's IEP

DILIGENCE
What you can verify
Export, deletion, the tests, the agreements, the date on the answers

DATA

01	**Is student-identifying text removed before anything reaches the model?**	Yes. Names, staff, guardians and contact identifiers become tokens before the prompt; another student in free text becomes "a peer". The token map lives only in memory.	● YES
02	**Which model vendor, under what terms?**	Anthropic (Claude), through its API, under its API terms. One model, set in one place in the code.	● YES
03	**Is zero-data-retention in place with the model vendor?**	Not yet. Requested, not in place. It is a go-live gate for any real student record.	● NOT YET
04	**Is there a signed data-processing agreement with the model vendor?**	Not yet. Owed alongside zero-data-retention, before the first pilot.	● NOT YET
05	**Can images or scans of records reach the model?**	Only behind a per-district gate that is off by default; until the two agreements exist, a photo is attached, never read.	● PARTLY

DECISIONS

06	**Can AI output reach a student's record without a person's decision?**	No. The database refuses to finalize an IEP while any AI draft on it has no human decision.	● YES
07	**Is there an "accept all"?**	No. Review is field by field, with the provenance of each field; the attestation comes before the decision.	● YES
08	**Are legally consequential lists ever generated?**	No. Eligibility, deadlines and the like are built deterministically from the record and the rule.	● YES
09	**Does the system push back when a person's choice does not match the data?**	Yes, deterministically: an alignment block names what the record supports and why, with no prose written to agree.	● YES
10	**Does AI decide anything: grades, referrals, placement, discipline?**	No. It drafts text for a person to review. Nothing in the product is a decision maker.	● YES

DISCLOSURE

11	**Can a parent see what AI touched in their child's IEP?**	Yes. The family portal's AI transparency page shows each AI-touched section, what was drafted and what the reviewer changed.	● YES
12	**Is every draft, edit, approval and rejection audited?**	Yes, append-only, each marked AI or human; edits stored as the difference.	● YES
13	**Does any AI interact with the student?**	No. A staff tool with no student accounts.	● YES
14	**Does any AI answer parents directly?**	One, off by default: it may phrase facts drawn from the record and may not state a new one, predict, characterise, diagnose or compare. Disclosed as advisory.	● YES
15	**Will the district be told when the answers above change?**	Yes. The answers carry a date and are re-issued; this sheet is the first issue.	● YES

DILIGENCE

16	**Can the district export and delete a student's complete record?**	Yes. One function each, and a build check fails if a table holding student data is left out of the export.	● YES
17	**Is a data-privacy agreement with the district signed before any real student is entered?**	Required by us, and not yet executed with anyone: no real student data has been processed. The NDPA with the Florida exhibit is on our list.	● NOT YET
18	**Where is the data hosted, and is it encrypted?**	US hosting, encrypted in transit and at rest; the region confirmation is on our own go-live list.	● PARTLY
19	**Are the AI controls tested, and can the district see the tests?**	Yes. A test fails any AI call that skips de-identification; the checks run on every change and are visible in the repository.	● YES
20	**Are you claiming compliance with Florida's AI rule?**	No. The rule governs district policy on tools made available to students; we are a staff tool. We quote its principle and build to it.	● YES

READING THE COLUMN

Seventeen yes, two partly, three not yet. The three are the same three items on our own go-live list: zero-data-retention and an agreement with the model vendor, and a signed agreement with a district before any real student. Ask every vendor for their three.

IN THE KIT

The model ESE procedure, which puts the rule into the district's own steps, and the letter that tells a family where AI helped with their child's IEP.

Status. IEPeasyhub as shipped Oct. 9, 2026. "Yes" names the control; "partly" names the gap; "not yet" is owed before the first pilot. The questions are the district's to ask of anyone; the answers are ours alone. Rule 6A-1.0957 governs district policy on tools made available to students; this sheet quotes its principle and makes no claim under it.

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AI drafts. A person decides. The record shows which was which.

Every draft, edit, approval and rejection is on the record, and a family can read what AI touched.

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A letter to a family about AI in their child's IEP, in English, Spanish and Haitian Creole.

When a district uses AI to draft any part of an IEP, the family should hear it from the district, in their own language: what AI drafted, who decided, what AI did not do, and how to see the record. The rule requires a parent notice for AI tools students use; for the rest it requires that a person decides. This letter goes further on purpose. The case manager fills the blanks and ticks only what is true. **Three languages, line for line.**

WHAT AI DRAFTED
Ticked, part by part
Present levels, goals, progress notes, a summary of results, a letter

WHO DECIDED
A named person
The staff member who reviewed it, and the IEP team at the meeting

WHAT AI DID NOT DO
No decisions
Eligibility, services, placement and discipline stay with people

THE RECORD
How to see it
A records request, answered before the next IEP meeting

On the district's letterhead. Blanks are filled and boxes ticked by the case manager; a box left empty is a line the family does not need to read.

ENGLISH

Date _____. Dear _____, parent or guardian of _____:

Our staff sometimes use artificial intelligence (AI) to help write parts of a student's individual educational plan (IEP). This letter tells you where AI helped with your child's IEP, who made each decision, and how to see the record.

AI helped draft (ticked):

- ☐ Present levels of academic achievement and functional performance
- ☐ Annual goals
- ☐ Progress notes or a progress report
- ☐ A summary of evaluation results
- ☐ A letter or notice to you
- ☐ Other: _____

In the IEP or document dated _____.

A person read every AI draft, changed what needed changing, and decided what to keep: _____ (name and role). The decisions in the IEP were made by your child's IEP team, with you, at the meeting.

AI did not decide whether your child is eligible, which services or supports your child receives, where your child is taught, or any discipline. People make those decisions, with you.

Your child's information (ticked if true):

- ☐ Your child's name and other identifying details were removed before any text reached the AI tool.
- ☐ Our agreement with the tool's company does not allow it to use your child's information to train AI.

AI your child uses at school (ticked):

- ☐ Your child does not use an AI tool in class.
- ☐ Your child may use an AI tool in class. You will get a separate notice, and you decide whether your child uses it.

You may ask to see your child's education records at any time, and ask which parts AI helped draft. We answer without unnecessary delay and before any IEP meeting. You may also ask for an IEP meeting about any of this. Contact: _____ (name, phone, email).

Sincerely, _____, case manager, _____ (school).

ESPAÑOL

Fecha _____. Estimado(a) _____, padre, madre o tutor de _____:

Nuestro personal a veces usa inteligencia artificial (IA) para ayudar a redactar partes del plan educativo individual (IEP) de un estudiante. Esta carta le indica dónde ayudó la IA con el IEP de su hijo(a), quién tomó cada decisión y cómo ver el expediente.

La IA ayudó a redactar (marcado):

- ☐ Niveles actuales de rendimiento académico y desempeño funcional
- ☐ Metas anuales
- ☐ Notas de progreso o un informe de progreso
- ☐ Un resumen de los resultados de la evaluación
- ☐ Una carta o un aviso para usted
- ☐ Otro: _____

En el IEP o documento con fecha _____.

Una persona leyó cada borrador de la IA, cambió lo que hacía falta y decidió qué conservar: _____ (nombre y cargo). Las decisiones del IEP las tomó el Equipo del IEP de su hijo(a), con usted, en la reunión.

La IA no decidió si su hijo(a) es elegible, qué servicios o apoyos recibe, dónde recibe su educación ni ninguna medida disciplinaria. Esas decisiones las toman personas, con usted.

La información de su hijo(a) (marcado si es cierto):

- ☐ El nombre de su hijo(a) y otros datos que lo identifican se eliminaron antes de que cualquier texto llegara a la herramienta de IA.
- ☐ Nuestro acuerdo con la empresa de la herramienta no le permite usar la información de su hijo(a) para entrenar IA.

IA que su hijo(a) usa en la escuela (marcado):

- ☐ Su hijo(a) no usa ninguna herramienta de IA en clase.
- ☐ Su hijo(a) podría usar una herramienta de IA en clase. Usted recibirá un aviso aparte y decidirá si su hijo(a) la usa.

Usted puede pedir inspeccionar y revisar los expedientes académicos de su hijo(a) en cualquier momento, y preguntar qué partes ayudó a redactar la IA. Respondemos sin demoras innecesarias y antes de cualquier reunión del IEP. También puede pedir una reunión del IEP sobre cualquiera de estos temas. Contacto: _____ (nombre, teléfono, correo electrónico).

Atentamente, _____, coordinador(a) del caso, _____ (escuela).

KREYÒL AYISYEN

Dat _____. Chè _____, paran oswa gadyen _____:

Pafwa, anplwaye nou yo itilize entèlijans atifisyèl (AI) pou ede ekri kèk pati nan pwogram edikasyon endividyalize (IEP) yon elèv. Lèt sa a di w ki kote AI te ede ak IEP pitit ou a, ki moun ki te pran chak desizyon, ak kijan pou w wè dosye a.

AI te ede ekri (sa ki make yo):

- ☐ Nivo aktyèl reyalizasyon akademik ak pèfòmans fonksyonèl
- ☐ Objektif anyèl yo
- ☐ Nòt sou pwogrè oswa yon rapò sou pwogrè
- ☐ Yon rezime rezilta evalyasyon an
- ☐ Yon lèt oswa yon avi pou ou
- ☐ Lòt: _____

Nan IEP a oswa dokiman ki gen dat _____.

Yon moun te li chak bouyon AI te ekri, li te chanje sa ki te bezwen chanje, epi li te deside sa pou kenbe: _____ (non ak pozisyon). Se Ekip IEP pitit ou a, avèk ou, ki te pran desizyon ki nan IEP a pandan reyinyon an.

AI pa t deside si pitit ou a kalifye, ki sèvis oswa sipò li resevwa, ki kote li resevwa edikasyon l, ni okenn mezi disiplinè. Se moun ki pran desizyon sa yo, avèk ou.

Enfòmasyon pitit ou a (make si se vre):

- ☐ Yo te retire non pitit ou a ak lòt detay ki ka idantifye l anvan nenpòt tèks te rive nan zouti AI a.
- ☐ Akò nou ak konpayi zouti a pa pèmèt li itilize enfòmasyon pitit ou a pou antrene AI.

AI pitit ou a itilize lekòl (sa ki make yo):

- ☐ Pitit ou a pa itilize okenn zouti AI nan klas.
- ☐ Pitit ou a ka itilize yon zouti AI nan klas. W ap resevwa yon avi apa, epi se ou ki deside si pitit ou a ap itilize l.

Ou ka mande pou w enspekte ak revize dosye edikasyon pitit ou a nenpòt ki lè, epi mande ki pati AI te ede ekri. N ap reponn san reta ki pa nesesè epi anvan nenpòt reyinyon IEP. Ou ka mande yon reyinyon IEP tou sou nenpòt nan bagay sa yo. Kontak: _____ (non, telefòn, imèl).

Avèk respè, _____, responsab dosye elèv la, _____ (lekòl).

Translations. The Spanish and Haitian Creole were drafted with AI, using the terms in FLDOE's own translated notices, and have not yet been checked by a native speaker. A qualified translator checks them before a family reads them; that is the letter's own rule, applied to the letter.

Sources. Rule 6A-1.0957(3)(e)1. and 10., F.A.C., as noticed Sept. 18, 2026; F.S. §1002.22; 34 C.F.R. §300.613; FLDOE's Notice of Procedural Safeguards (2021) in Spanish and Haitian Creole, for the terms. Checked Oct. 9, 2026. A template for the district's letterhead, not legal advice.

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The blanks, filled from the record.

In IEPeasyhub the audit already knows which sections AI drafted and who decided each one; families can read it on the portal's AI transparency page.

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