

August 20, 2025

The Honorable Linda McMahon
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202
Via <https://www.federalregister.gov>

Docket ID ED-2025-OS-0118

Dear Secretary McMahon:

This letter presents comments on the Notice of Proposed Rulemaking “Proposed Priority and Definitions—Secretary’s Supplemental Priority and Definitions on Advancing Artificial Intelligence in Education” published by your department in the *Federal Register* on July 21, 2025. Artificial intelligence (AI) is the most significant advancement in online technology in at least a generation—perhaps the most significant advancement in any technology since then. Across businesses, governments, and educational institutions, AI’s benefits in the form of near-instantaneous data gathering and analysis, along with increased efficiencies in industry-related and research-related work functions, have yet to reach their bounds.

As stated in this Notice, AI’s educational enhancements for educators include the creation of more personalized learning plans for students and the ability to respond faster to student needs using online information platforms.

Education’s objectives remain the same, though: helping students to succeed in school and in life. To the extent that AI can contribute to this goal, it is a welcome development.

Still, as the U.S. Department of Education seeks to “expand the understanding of artificial intelligence” and “expand the offerings of AI and computer science education in K–12 education,” along with the Notice’s other stated goals, these undertakings should demonstrate an awareness of the unique challenges and threats to student learning posed by AI.

The very efficiencies that AI presents to the business world can undermine educational goals, such as developing and guiding student originality and creativity and teaching students to conduct their own rigorous research and analysis. As the Education Department partners with state and local education agencies to expand educational content that teaches how to use AI, or reviews grants from education institutions that include the use of AI in course content, the department should consider the potential pitfalls and threats to education that AI can pose.

First, the department should seek proposals that include information about the potential bias that generative AI can show in its results. A review of research conducted by AI programs finds: “Despite their prodigious capabilities, these systems are not without flaws. At times, they churn out information that might sound convincing but is irrelevant, illogical, or entirely false—an anomaly known as ‘hallucination.’”¹ Other reviews have demonstrated that ChatGPT produces politically biased results in response to certain prompts.² The Education Department should encourage partnering entities to include information about the potential for such bias in educational content.

Second, educators should be taught how to use plagiarism-detection programs, such as Turnitin. Surveys find that an increasing share of teachers are using these tools (68 percent of teachers reported using an AI-detection tool in the 2023–2024 school year).³ Correspondingly, educators are disciplining more students for using AI inappropriately—directly copying text, for example, from a generative AI result—which means that more students are attempting such actions (one survey found that 89 percent of students admitted to using ChatGPT for homework assignments⁴). A larger number of students attempting to copy AI results paired with evermore-intelligent AI systems means that educators will need the latest information and training on how to detect AI-produced content in student work. Assigning in-class essays is a viable, if incomplete, solution that may lessen the possibility of cheating, while limiting the range of assignments and learning experiences that educators can provide to students.

Finally, individuals should be aware of the personal data collected by any online websites, including AI tools. The Education Department should prioritize partnerships with public education institutions and private education services that seek to protect personal data, and educate teachers and students about the data that can be collected when using AI services.

With this currently proposed rule, as well as future notices of proposals, the Education Department can help to prepare millions of teachers and students for a future that will inevitably include AI. The agency will serve adults and children best by helping them to anticipate the benefits and threats emanating from this new technology.

Sincerely,

Jonathan Butcher

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¹ John Bailey, “AI in Education,” *Education Next*, Vol. 23, No. 4, August 8, 2023, <https://www.educationnext.org/a-i-in-education-leap-into-new-era-machine-intelligence-carries-risks-challenges-promises/>.

² Jeremy Baum and John Villasenor, “The Politics of AI: ChatGPT and Political Bias,” Brookings, May 8, 2023, <https://www.brookings.edu/articles/the-politics-of-ai-chatgpt-and-political-bias/>.

³ Anna Merod, “How Much Are Students Using AI in Their Writing?” K–12 Dive, April 15, 2024, <https://www.k12dive.com/news/students-ai-plagiarism-turnitin/713177/>.

⁴ Laura Tierny, “Statistics Snapshot: The Intersection of AI Use in Education and Plagiarism,” EdNC, March 5, 2024, <https://www.ednc.org/perspective-statistics-snapshot-the-intersection-of-ai-use-in-education-and-plagiarism/>.