



# Navigating AI Ethics, Privacy, & Security via Current U.S. Regulatory Structures

AI Day for Federal Statistics 2026

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[DISC.WestEd.org](https://disc.wested.org)



# Scope & Background



- Philanthropically funded
- Focused on **Integrated Data Systems** in public agencies
- Expertise Offered:
  - Artificial Intelligence
  - Planning and User-Center Designed
  - Legislative Analysis
  - External Legal Supports
  - System Privacy
  - System Security



# DISC AI Services

## IMPLEMENTATION SERVICES

Provided by non-profit to public agencies  
implementing generative AI



### GENERATIVE AI LEVEL-SETTING TRAINING

Basics of genAI, how it differs from ML/other AI, overview of opportunities, risks, and challenges



### REGULATORY LANDSCAPE REVIEW

Federal, state, and local laws around use of genAI technology, privacy/security considerations



### RESPONSIBLE/ETHICAL USE OF AI & POLICY REVIEW, DEVELOPMENT, AND TRAINING



### AI USE CASE DEVELOPMENT ONSITE ENGAGEMENT



### EXECUTIVE AI STRATEGY PLANNING

Leadership-driven strategic roadmap aligning AI use cases with organizational goals and priorities



### AI READINESS ASSESSMENT

Note: Steps 2 through 4 must be completed prior to assessment

# The Convergence

Why CIPSEA & AI Can't Be Discussed Separately Anymore

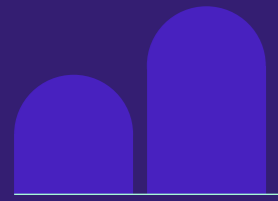
- AI Action Plan calls for CIPSEA data accessibility regulations
- Public Trust Rule codifies confidentiality obligations
- Two imperatives on a collision course

**AI**

Innovation & Access

**Regulatory  
Structures**

Confidentiality & Trust



# Acknowledging the Policy Landscape

- **Durable statutory obligations: CIPSEA 2018, FERPA, Title 26, Public Trust Rule**
- **Criminal penalties: up to \$250K and 5 years imprisonment**
- **Executive directives: M-25-21, M-25-22, M-26-04, AI Action Plan**
- **CIPSEA data accessibility regulations remain unfinalized**
- **Asymmetry of consequences for agency staff**

## RESPONSIBLE PATHS



**Trusted Execution Environments**



**Privacy-Preserving Record Linkage**

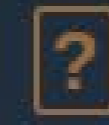


**Tiered Access / Synthetic Data**



**Governance Before Tooling**

## THE ETHICS LAYER



**Informed Consent**



**Algorithmic Bias**

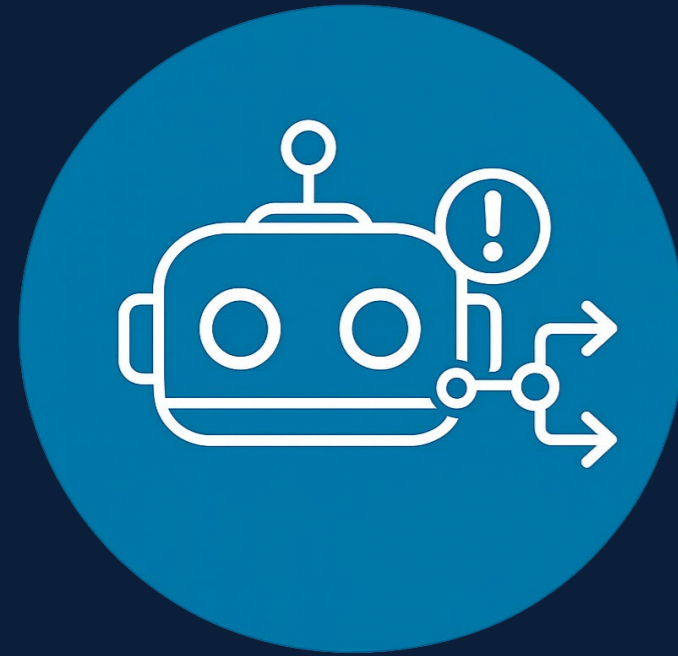


**Transparency / Explainability**



**Human-in-the-Loop**

# Agentic AI, Regulation, and Data



**The Agent  
Problem**



**The Statistical  
Purpose Boundary**



**Synthetic Data's  
Protection Status**

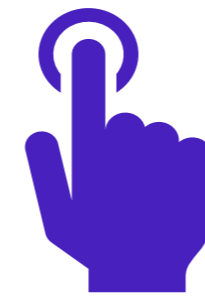
# Conclusion

- **The confidentiality pledge is a contract with the public — AI doesn't change it**
- **What you don't know about your AI tools can carry criminal liability**
- **Governance before tooling. Ethics before efficiency. Trust before speed**



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