

A. Purpose

To establish guidelines and implementation procedures for the safe, responsible, and educational use of artificial intelligence (AI) by staff and students within Frederick County Public Schools (FCPS).

B. Background

1. The Board of Education of Frederick County (Board) recognizes that AI is increasingly embedded in today's world and is committed to preparing students for future success in a rapidly changing economy and technological landscape. The Board also recognizes that AI use may prevent students from developing essential critical thinking, problem solving, and communication skills for college and career success. Used without adequate safeguards, it can introduce risks related to privacy, AI bias, equity, academic integrity, and over-reliance on automated systems.
2. [Board Policy 124, *Artificial Intelligence*](#), prohibits the student use of AI in Grades Pre-Kindergarten (PreK)-12, except as may be necessary to provide AI literacy instruction, where AI use is required for a course or extracurricular program, or as may be approved by the Superintendent or designee. Unless otherwise stated, procedures set forth for student use refer only to student use that has been approved according to section D(2) below.
3. Any AI use in FCPS must serve direct educational, curricular, program, or operational needs; protect the rights and safety of students and staff; maintain rigorous data security and privacy standards; advance academic integrity; and comply with all applicable federal and Maryland law. The Board explicitly prohibits any AI use that substantially disrupts or is likely to cause a significant disruption to school operations.
4. This Regulation is developed in alignment with Maryland State Department of Education (MSDE) *K-12 Artificial Intelligence In K-12 Public Schools Framework* (June 2026).

C. Definitions

1. "Academic Integrity" is defined to mean a commitment to honesty, transparency, and responsibility in all academic work, which includes submitting original work and accurately crediting the sources of any external content used.
2. "Accessibility Tools" are defined to mean digital tools that provide learners with access to content in accessible digital formats to reduce barriers, participate in activities, communicate, and complete tasks independently, such as text-to-speech, word predictions, or speech recognition features, and assistive technologies.

3. “Artificial Intelligence” (AI) is broadly defined to mean computational systems that perform tasks associated with human intelligence, including pattern recognition, content generation, prediction, and adaptive output.
4. “Artificial Intelligence Bias” or “AI Bias” is defined to mean systematic, unwanted unfairness or misinformation in how a computer detects patterns, automates decisions, or provides content.
5. “Artificial Intelligence Literacy” or “AI Literacy” is defined to mean the knowledge and skills needed to understand, evaluate, and use AI responsibly, including awareness of limitations, AI bias, and appropriate use.
6. “Artificial Intelligence Products” or “AI Products” are defined to mean standalone generative AI assistants, language models, programs, or platforms that produce new content such as text, images, audio, video, or code in response to user input without being embedded in or enhancing an accessibility tool, and may include products known as Large Language Models (LLMs).
7. “Assistive Technology” or “Assistive Technology Device” is defined to mean any item, piece of equipment, product system, or software, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a student with a disability, as documented in the student's Individualized Education Program (IEP) or Section 504 Plan, as applicable.
8. “Data Security” is defined to mean administrative, physical, and technical safeguards designed to protect information confidentiality, integrity, and availability throughout its lifecycle, from creation or collection through destruction.
9. “Digital Tools” are defined to mean online platforms, online courses, digital content, digital curriculum or instructional resources, and software that are embedded in instruction or support provided to students and may incorporate or be enhanced by AI without being considered discrete AI Products as defined above.
10. “Human Oversight” is defined to mean meaningful review by a qualified FCPS employee who has the authority and information needed to interpret, contextualize, override, or reject an artificial intelligence output before it affects a student or employee.
11. “Large Language Models” or “LLMs” are defined to mean AI Products designed to understand, process, and generate human-like text, code, or responses through interactive, prompt-based dialogue.
12. “Learning Task” is defined to mean any classroom assignment, assessment, project, writing task, or other student work product that is assigned by the classroom teacher and submitted, typically for a grade.

D. Procedures

1. **Prohibited Use.** The following uses of AI products are prohibited in FCPS:
 - a. Student use in Grades PreK-12, except as necessary to provide AI literacy instruction or where an AI product use is required for a course or extracurricular program, as approved by Superintendent or their designee, which may include the Department of Curriculum and Instruction (DCI) and/or the Department of Information Technology (DoIT). The approval procedures for AI product use are described in Section D(2), below.
 - b. Entering personally identifiable student or employee information into any AI product, unless such sharing is permitted by law and in accordance with an executed data sharing agreement.
 - c. Using an AI product to independently make a consequential decision that directly impacts a student's or employee's standing, opportunity, status, rights, or well-being, or determining eligibility for programs, services, or accommodations.
 - d. Using an AI product to collect biometric, behavioral, or location data, unless meeting an educationally-justified, research-based, or operational need, and is approved by the Superintendent or their designee, which may include DCI and/or DoIT.
 - e. Using an AI product in any manner that violates Board policies, FCPS regulations, the [Student Code of Conduct](#), the [Employee Code of Conduct](#), or applicable law.
 - f. Using an AI product to improperly reproduce, rewrite, or distribute copyrighted content in violation of FCPS policy, administrative regulations, and copyright law.
 - g. Using an AI product for bullying, harassment, or any other form of intimidation, deception, or discrimination.
 - h. Using an AI product to create or propagate harmful, misleading, inaccurate, or inappropriate content.
 - i. Staff use of an AI product to grade a learning task, unless using a computer-scored assignment or assessment platform that is administered within an approved FCPS digital tool.
2. **Permitted Student Use**
 - a. Student use of AI products is permitted in courses in which AI product use is required to deliver the essential curriculum, as determined by the DCI. The DCI will maintain a listing of any approved courses in which use of AI products is deemed to be required to deliver the curriculum.
 - b. Student use of AI products is permitted when essential to engage in required AI Literacy instruction, as determined by the DCI and as listed in approved AI Literacy curriculum documents.
 - c. Student use of AI products is permitted when included in a student's Individualized Education Program (IEP) or Section 504 Plan, when other assistive technologies are not available.
 - d. Any other student use of AI products not specified in D(2)(a)-(c) above must be approved by the DCI and DoIT.
 - e. Staff requesting to provide access for student AI product use for reasons specified in D(2)(a)-(d) above shall contact the Supervisor of the Digital Learning Experience.

- f. Any AI product output used in the work product of a student or employee shall be subject to human oversight.
- g. AI products available for student use must be explicitly approved on the [Approved Digital Tool List](#) established by [FCPS Regulation 500-08, *Selection and Approval of Digital Tools for the Instructional Program*](#), and evaluated, selected, and procured in alignment with guidance established by the Maryland State Department of Education. Any approved AI product will be specifically identified as such on the [Approved Digital Tool List](#).

3. **AI Literacy for Students**

- a. Each year, FCPS shall provide developmentally appropriate AI literacy instruction to students in Grades 2-12 aligned with Maryland's Digital Citizenship, Media Literacy, Computer Science, and/or content area standards.
- b. AI literacy will include instruction on:
 - i. Understanding how data and input choices shape AI behavior, evaluating AI-generated content for accuracy and bias, recognizing appropriate vs. inappropriate use, and identifying ethical and societal impacts.
 - ii. How AI products work, including their capabilities, limitations, and potential for error and bias.
 - iii. How to evaluate AI-generated content and recognize AI-generated media.
 - iv. Appropriate, ethical, safe, and responsible use of AI, including privacy and digital citizenship.
 - v. Applying the use of AI in real-world contexts.
 - vi. Other topics within state-issued standards.
- c. In elementary schools, AI literacy instruction will occur primarily within media lessons that are scheduled for all students, but may be delivered in other content areas as determined by DCI.
- d. In secondary schools, AI literacy instruction will be delivered through multiple formats such as by media specialists when applicable; through discipline-specific instruction embedded in core content areas; and other varied delivery approaches, including but not limited to videos, online modules, and digital resources.

4. **Equity and Access**

- a. If the use of an AI product is approved for reasons specified in D(2) above, the product will be made available to all students in a course and accessed through FCPS-issued devices.
- b. AI use may support accessibility but shall not replace legally required evaluations, services, accommodations, or language access.
- c. FCPS staff will monitor AI products and digital tools for biased, inaccurate, or inequitable outcomes and take corrective action or inform their supervisor when warranted.
- d. All AI use shall comply with federal and state civil rights laws, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA), and the Individuals with Disabilities Education Act (IDEA), or where otherwise required by law regardless of grade level.

- e. This Regulation does not prohibit use of accessibility tools, assistive technologies, or digital tools that may embed or be enhanced by AI, provided that any Digital Tool is approved as described above.

5. Data Security

- a. All AI use shall comply with applicable privacy and data protection laws, including the Family Educational Rights and Privacy Act (FERPA), the Children’s Online Privacy Protection Act (COPPA), the Protection of Pupil Rights Amendment (PPRA), and the Maryland Student Data Privacy Act. AI use shall also comply with applicable FCPS regulations governing data privacy and the protection of personally identifiable information, including [FCPS Regulation 208-02, Data Privacy, Students](#), [FCPS Regulation 200-49](#), and [FCPS Regulation 421-01, Student Education Records](#).
- b. Any AI use in FCPS must adhere to [Board Policy 208, Data Security](#), and meet the necessary security controls and standards ensuring reasonable protection for the confidentiality, integrity, and availability of any data for which FCPS is responsible and that tools are protected from unauthorized access, destruction, use, modification, or disclosure.
- c. FCPS-approved AI products will only be accessible to students after signing-in to the FCPS secure network. Input and outputs of AI products may be monitored by FCPS.
- d. DoIT will manage student access to AI products for approved purposes specified in section D(2) above.

6. Academic Integrity

- a. Students are not permitted to use an output from any AI product to complete a learning task, without specific approval as determined in section D(2) above. The use of an AI product to complete a learning task without that approval is considered academic dishonesty and subject to a response and/or consequences.
- b. Any AI use that obscures authorship, fabricates information, or bypasses intended learning is considered academic dishonesty and subject to a response and/or consequences.
- c. Teachers are encouraged to design learning tasks that reduce opportunities for over-reliance on AI products or plagiarism, by requiring features that include but not limited to personal context, reasoning, critical thinking, analysis, discussion and discourse, or original arguments.
- d. Consistent with guidance from MSDE, staff shall not rely on AI detection tools as the primary means of enforcing academic integrity, given their documented unreliability.

7. Professional Learning for Staff

- a. FCPS shall provide role-specific professional learning about AI aligned to core professional competencies established by MSDE, so that all staff develop knowledge and skills to use AI safely, ethically, and effectively.
- b. In each content discipline, professional learning for teachers will include AI literacy within the content area and strategies for designing learning tasks and assessments as described in section D(6)(d) above.
- c. Professional learning shall be delivered to teachers annually.

8. Staff, Operational, and System Use

- a. Employees are expected to use AI in ways that are ethical, lawful, and aligned with applicable Board policies, FCPS regulations, and professional standards. If an employee is unsure about whether the use of an AI product or output aligns with FCPS expectations, the employee shall consult with their immediate supervisor before use.
- b. Employees shall assume no reasonable expectation of privacy when using FCPS AI products, including prompts or content entered into AI products.
- c. AI products used in school system operations shall be treated as a higher-risk use requiring caution and continuous human oversight.
- d. Operational AI use that affects student programming or service shall be evaluated for AI bias before adoption and monitored.
- e. AI products shall not be used to make independent consequential decisions regarding employment or employee performance.
- f. Staff are permitted to use AI products to support administrative tasks, resource development, and operational efficiency, only with direct human oversight.
- g. Any operational systems that include predictive analytics and automated decision-support require documented human oversight, monitoring, and transparent communication.

9. Procurement Guidelines

- a. Before expending budgeted resources to purchase an AI product or digital tool, the product or tool must be evaluated by established FCPS approval procedures in the DCI and DoIT, and as outlined in [FCPS Regulation 500-08, Selection and Approval of Digital Tools for the Instructional Program](#).
- b. Evaluation criteria for AI products must address:
 - i. Educational or operational value
 - ii. Data collection, use, retention, and deletion practices
 - iii. Legal compliance
 - iv. Whether FCPS data is used to train vendor models
 - v. Privacy and security compliance
 - vi. Accessibility and compatibility with assistive technology
 - vii. Age appropriateness
 - viii. Known limitations, accuracy, and bias risks
 - ix. Transparency of vendor disclosure
 - x. Total cost of ownership.
- c. AI product vendors must provide clear documentation on AI techniques, data collection and retention, use of data for model training, known limitations, accessibility and nondiscrimination measures, and evaluation measures.
- d. AI product vendor contracts shall limit data use, retention, and deletion; prohibit advertising, profiling, and unrelated model training; require disclosure of data practices; and ensure compliance with breach notification laws.
- e. Any adoption of an AI product in FCPS must be governed by an executed contract with the approved vendor and FCPS, and/or approved through established procedures indicated in D(9)(a) above.

- f. Approval of an AI product is an ongoing process, not a one-time decision and shall align to rubrics and other evaluation tools published by MSDE or other national organizations.

10. Transparency and Communication

- a. Each year FCPS shall communicate with students, families, and staff about what AI products are used, what data are collected, how long data are retained, and when opt-out options apply.
- b. When appropriate for the AI output or intended audience, staff shall be transparent about the use of AI products, by acknowledging the use of AI-generated content that is shared with staff, students, parents/guardians, or the public. Staff are not expected to cite use of AI products that support routine administrative tasks.
- c. The DCI and DoIT will form and facilitate an advisory group of teachers, administrators, students, union representatives, and community members to advise, monitor, and recommend adjustments to implementation or revisions of this Regulation.

11. Violations and Incident Reporting

a. Student Violations

- i. Violations regarding student use will be subject to levels of responses and ranges of consequences listed in the [Student Code of Conduct](#).
- ii. When student violations are suspected, staff are encouraged to use AI literacy resources in response, in addition to appropriate ranges of consequences.
- iii. When considering consequences for student violations at Level 2 or above, teachers will consult with a school administrator to determine the response.
- iv. Any bullying, harassment, or intimidation connected to the use of an AI product should be reported by following the established procedures to report Bullying/Harassment as outlined in [FCPS Regulation 400-48, Bullying, Harassment, Intimidation Complaint Process for Students](#).

- b. **Staff Violations.** Employees are responsible for ensuring that any AI use is compliant with this Regulation and the [Employee Code of Conduct](#). Violations may result in disciplinary or other appropriate administrative action, up to and including termination, consistent with applicable law, negotiated agreements, and FCPS procedures.

- c. **Incident Reporting.** Employees must promptly report to their immediate supervisor:
 - i. AI-related errors that negatively impact students, employees, educational partners, or FCPS/school operations.
 - ii. AI-related errors that generate unlawful content or imagery.
 - iii. Suspected data/privacy breaches or data security concerns.

E. Related Information

1. Board Policy

- a. [Policy 115, Responsible Use of Social Media](https://apps.fcps.org/legal/documents/115)
(<https://apps.fcps.org/legal/documents/115>)
- b. [Policy 118, Personal Mobile Devices](https://apps.fcps.org/legal/documents/118)
(<https://apps.fcps.org/legal/documents/118>)
- c. [Policy 124, Artificial Intelligence](#)

- (<https://apps.fcps.org/legal/documents/124>)
- d. [Policy 208, *Data Security*](https://apps.fcps.org/legal/documents/208)
(<https://apps.fcps.org/legal/documents/208>)
- e. [Policy 210, *Technology Acquisition*](https://apps.fcps.org/legal/documents/210) (formerly 434)
(<https://apps.fcps.org/legal/documents/210>)
- f. [Policy 300, *Personnel*](https://apps.fcps.org/legal/documents/300)
(<https://apps.fcps.org/legal/documents/300>)
- g. [Policy 404, *Student Rights and Responsibilities*](https://apps.fcps.org/legal/documents/404)
(<https://apps.fcps.org/legal/documents/404>)
- h. [Policy 444, *Educational Equity and Excellence*](https://apps.fcps.org/legal/documents/444)
(<https://apps.fcps.org/legal/documents/444>)
- i. [Policy 500, *Approval of Curriculum and Instructional Resources*](https://apps.fcps.org/legal/documents/500)
(<https://apps.fcps.org/legal/documents/500>)

2. External Resources

- a. Maryland State Department of Education (MSDE), *Artificial Intelligence* (Last Visited: September 21, 2026)
- b. [MSDE, \(June 2026\), *Artificial Intelligence in K-12 Public Schools, Maryland's Framework for Responsible AI in Education*](https://fcps-md.info/MSDE_AI_Framework)
(https://fcps-md.info/MSDE_AI_Framework)

3. FCPS Regulations

- a. [Regulation 200-31, *Data Breach Response Process*](https://apps.fcps.org/legal/documents/200-31)
(<https://apps.fcps.org/legal/documents/200-31>)
- b. [Regulation 200-49, *Personally Identifiable Information \(PII\) for FCPS School Officials*](https://apps.fcps.org/legal/documents/200-49)
(<https://apps.fcps.org/legal/documents/200-49>)
- c. [Regulation 208-01, *Systemwide Cybersecurity*](https://apps.fcps.org/legal/documents/208-01)
(<https://apps.fcps.org/legal/documents/208-01>)
- d. [Regulation 208-02, *Data Privacy, Students*](https://apps.fcps.org/legal/documents/208-02) (formerly 400-96)
(<https://apps.fcps.org/legal/documents/208-02>)
- e. [Regulation 400-48, *Bullying, Harassment, Intimidation Complaint Process for Students*](https://apps.fcps.org/legal/documents/400-48)
(<https://apps.fcps.org/legal/documents/400-48>)
- f. [Regulation 416-02, *Grading and Reporting, Elementary*](https://apps.fcps.org/legal/documents/416-02)
(<https://apps.fcps.org/legal/documents/416-02>)
- g. [Regulation 416-03, *Grading and Reporting, Secondary*](https://apps.fcps.org/legal/documents/416-03)
(<https://apps.fcps.org/legal/documents/416-03>)
- h. [Regulation 434-01, *Technology Use, Students*](https://apps.fcps.org/legal/documents/434-01)
(<https://apps.fcps.org/legal/documents/434-01>)
- i. [Regulation 500-01, *Curriculum, Courses, and Instructional Resources*](https://apps.fcps.org/legal/documents/500-01)
(<https://apps.fcps.org/legal/documents/500-01>)
- j. [Regulation 500-08, *Selection and Approval of Digital Tools for the Instructional Program*](https://apps.fcps.org/legal/documents/500-08)
(<https://apps.fcps.org/legal/documents/500-08>)

4. FCPS Resources

- a. [FCPS / Academics / Digital Learning Experience](https://www.fcps.org/academics/digital_learning_experience)
(https://www.fcps.org/academics/digital_learning_experience)

- b. [FCPS / Academics / Digital Learning Experience / AI \(AI\)](https://www.fcps.org/academics/digital_learning_experience/artificial_intelligence_ai)
(https://www.fcps.org/academics/digital_learning_experience/artificial_intelligence_ai)
- c. [FCPS / Academics / Digital Learning Experience / Digital Citizenship](https://www.fcps.org/academics/digital_learning_experience/digital_citizenship)
(https://www.fcps.org/academics/digital_learning_experience/digital_citizenship)
- d. [FCPS / Families & Students / Student Code of Conduct](https://www.fcps.org/families_students/student_code_of_conduct)
(https://www.fcps.org/families_students/student_code_of_conduct)
- e. [FCPS / Staff / Employee Code of Conduct](https://www.fcps.org/staff/employee_code_of_conduct)
(https://www.fcps.org/staff/employee_code_of_conduct)

5. Federal Law

- a. [Americans with Disabilities Act](https://fcps-md.info/ADA_42_USC_12132) (ADA)
(https://fcps-md.info/ADA_42_USC_12132)
- b. [Children's Online Privacy Protection Act](https://fcps-md.info/COPPA_15_USC_6501) (COPPA), 15 USC § 6501, *et seq.*
(https://fcps-md.info/COPPA_15_USC_6501)
- c. [Family Educational Rights and Privacy Act](https://fcps-md.info/FERPA_20_USC_1232g) (FERPA)
(https://fcps-md.info/FERPA_20_USC_1232g)
- d. [Individuals with Disabilities Education Act](https://fcps-md.info/IDEA_20_USC_1400) (IDEA)
(https://fcps-md.info/IDEA_20_USC_1400)
- e. [Protection of Pupil Rights Amendment](https://fcps-md.info/PPRA_20_USC_1232h) (PPRA)
(https://fcps-md.info/PPRA_20_USC_1232h)
- f. [Section 504 of the Rehabilitation Act of 1973](https://fcps-md.info/Section_504_29_USC_794) (Section 504)
(https://fcps-md.info/Section_504_29_USC_794)
- g. [Title VI of the Civil Rights Act of 1964](https://fcps-md.info/Title_VI_42_USC_2000d)
(https://fcps-md.info/Title_VI_42_USC_2000d)
- h. [Title IX of the Education Amendments of 1972](https://fcps-md.info/Title_IX_20_USC_1681)
(https://fcps-md.info/Title_IX_20_USC_1681)

6. Maryland Law

- a. Maryland Local Cybersecurity Support Act of 2022
- b. Maryland Student Data Privacy Act of 2015

7. Maryland Statutes

- a. [Md. Code Ann., Educ. § 7-2201](https://fcps-md.info/MD_Educ_Code_7-2201)
(https://fcps-md.info/MD_Educ_Code_7-2201)
- b. [Md. Code Ann., Educ. § 7-2202](https://fcps-md.info/MD_Educ_Code_7-2202)
(https://fcps-md.info/MD_Educ_Code_7-2202)
- c. [Md. Code Ann., Educ. § 7-2203](https://fcps-md.info/MD_Educ_Code_7-2203)
(https://fcps-md.info/MD_Educ_Code_7-2203)
- d. [Md. Code Ann., Educ. § 7-2204](https://fcps-md.info/MD_Educ_Code_7-2204)
(https://fcps-md.info/MD_Educ_Code_7-2204)
- e. [Md. Code Ann., State Fin. & Proc. § 3.5-801](https://fcps-md.info/MD_State_Fin_Code_3-5-801)
(https://fcps-md.info/MD_State_Fin_Code_3-5-801)

F. Regulation History (Maintained by Legal Services)

<i>Responsible Office</i>	Department of Information and Technology; Department of Curriculum
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	and Instruction
Adoption Dates	10/22/26
Review Dates	
Revision Dates	