A.   Purpose

To establish procedures that govern selection and approval of digital tools for Frederick County Public Schools (FCPS) including software and Software as a Service (SaaS) used for student learning and instruction.

B.   Background

1. Board Policy 500, *Approval of Curriculum and Instructional Materials*, directs the Superintendent to provide regulation concerning the approval of digital tools. Regulation(s) should include approval procedures that include:
   a. Adherence to relevant law, policy or regulation;
   b. Protection of student data privacy;
   c. Alignment of instructional or operational needs;
   d. Accessibility for all students; and,
   e. Alignment with purchasing regulations.

2. Digital tools are provided to students and employees to advance educational opportunities using quality learning resources for instruction. Ensuring selection and approval processes include review and evaluation of curricular alignment, program requirements, data privacy, security, equity, and equivalent access is imperative to the selection of digital tools that support all learners.

C.   Definitions

1. "Basic Digital Tools" is defined to mean tools that are not required for use in FCPS curriculum and are not purchased or governed by any contract between the tool provider and the district. Basic digital tools can be approved for use as a supplemental tool to support instruction. Staff must use basic digital tools responsibly and follow procedures for signing themselves and students into the tool as outlined by the district.

2. "Digital Ecosystem" is defined to mean the current inventory of digital tools that deliver information to staff, supplement teacher instruction and productivity, and/or are used by students for learning.

3. "Digital Tool Approval Process" is defined to mean the comprehensive process by which FCPS staff review and evaluate digital tools for curricular alignment, program requirements, data privacy, security, equity, and equivalent access requirements.

4. "Digital Tool for the Instructional Program" is defined as, and including but not limited to, online platforms, online courses, digital content, and software that directly connect to student instruction.

5. "Equivalent Access Requirements" is defined to mean the specific requirements for digital tools used for students with disabilities and apply to all digital tools used for instruction.

6. "MDK12 Digital Library" is defined as the statewide purchasing consortium created to serve all 24 Local School Systems and non-public schools in Maryland.

7. "Maryland Education Enterprise Consortium" (MEEC) is defined as an organization that offers centrally coordinated and negotiated procurement opportunities for member organizations to gain economic advantage and value in the acquisition of products and services that are beneficial to the educational enterprise. These member organizations collectively interact with prospective vendors and develop specifications to procure cost-effective, high-quality product, and service solutions.

8. "Mitigation Tools" is defined to mean digital tools that are designed to decrease barriers and enhance student access to learning or alternate means for learning.

9. "Preferred Digital Tools" is defined to mean tools required for use in FCPS curriculum but are not purchased or governed by any contract between the tool provider and the district. Staff must use preferred digital tools responsibly and follow the teacher and student sign-in requirements.

10. "Premium Digital Tools" is defined to mean full versions of digital tools purchased by FCPS and governed by a contract between the vendor and the district. Students use these tools to access and engage with FCPS curriculum and programming. Student accounts are generally created at the district level and tied to students' FCPS account credentials.

11. "Requirements for Sign-in" is defined to mean the sign-in method staff must adhere to when using a basic or preferred tool. "Required for sign-in" requirements include the student data that is permissible to share in the sign in process.

D. Procedures

1. **Selection and Approval of Digital Tools**
   a. FCPS acknowledges that digital tools for instructional programs, along with their systems and structures, directly impact instructional equity and excellence for student learning.
   b. FCPS will revise the digital tool approval process as legal and regulatory requirements change. Approval processes include, and are not limited to, curriculum alignment, protection of data privacy, security, interoperability, equity, and accessibility. FCPS will maintain records of all tools that go through the approval process.
   c. Selection of digital tools for instructional programming must adhere to Section 7-910 of the Education Article of the Maryland Annotated Code as well as Board Policy 500,

Approval of Curriculum and Instructional Materials, FCPS Regulation 500-04, *Textbook Review, Selection, and Approval*, FCPS Regulation 400-96, *Student Data Privacy*, and FCPS Regulation 444-01, *Educational Equity and Excellence*, when content specifications are required.

d. Mitigation tools for students with specialized needs may not adhere to all K-12 data privacy, security, and/or accessibility guidelines. Tools in this area must be approved by the Director of Special Education and the Director of Technology Infrastructure or designee to authorize the use of non-standard technology. *See* Board Policy 434, *Technology Acquisition*.

e. Career specific instructional programs that require industry standard curriculum, training and certification may not adhere to all K-12 data privacy, security, and/or accessibility guidelines. Tools in this area must be approved by the Director of Curriculum and the Director of Technology Infrastructure or designee. *See* Board Policy 434, *Technology Acquisition*. Written programmatic communication about the tool/industry requirements and parental consent from parents/guardians are required.

f. FCPS will analyze and monitor the impact of digital tools on staff productivity and student learning using qualitative and quantitative data sources.

g. Because digital tools change rapidly, as do the needs of the school system, there may be a need for a cross-departmental team to review tools using the approved processes and to provide recommendations for change to this regulation as necessary.

2. **Purchasing Digital Tools**

a. Purchasing of any digital tool that impacts student learning is required to adhere to FCPS Regulation 205-01, *Purchasing Regulations*.

b. Individual schools may not purchase digital tools for instructional programming without successful evaluation and approval via the digital tool approval process. To request a review for approval of a digital tool for use with students, refer to the "Request a Digital Tool" section on the FCPS Digital Tools intranet website.

c. Charter school staff will notify their instructional director and not purchase digital tools for instructional programming without successful evaluation via the digital tool approval process. Specifically, the digital tool will be assessed for data privacy and security, compatibility with existing technology systems, and adherence to purchasing regulations.

d. Backup documentation from the FCPS digital tool approval process must be provided for all purchases.

E.   Related Information

1. **Board Policy**
   a. Policy 434, *Technology Acquisition*
   b. Policy 500, *Approval of Curriculum and Instructional Materials*

2. **FCPS Regulations**
   a. Regulation 205-01, *Purchasing Regulations*
   b. Regulation 400-96, *Student Data Privacy*
   c. Regulation 444-01, *Educational Equity and Excellence*

      d.   [Regulation 500-04](#), *Textbook Review, Selection, and Approval* (formerly 500-38)

   3. **FCPS Resources**
      a. [FCPS Core Online Digital Tools (Public) List](#)
      b. [FCPS Digital Tools Intranet Website](#)
      c. [FCPS Digital Tools Website](#)
      d. [FCPS Supplemental Digital Tools and Chrome Extensions (Public) List](#)

   4. **Maryland Statutes**
      a. [Md. Code Ann., Educ. § 7-910](#)

F.   **Regulation History** (Maintained by Legal Services)

Responsible Office	Curriculum, Instruction & Innovation
Adoption Dates	08/30/24
Review Dates	
Revision Dates	