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## Standard Operating Procedure

### 1. Purpose

Carroll County Public Schools (CCPS) recognizes technology applications, including online educational services, as viable educational tools to create, share, store, distribute and manage student work. These tools can be accessed by students and/or parents and used as a part of the school's educational program in or outside of the school day. While CCPS encourages the use of educational technological advancement in the furtherance of its educational mission, no educational tool that compromises protected personally identifiable information on students shall be permitted. These procedures are established to ensure only appropriate applications are approved.

### 2. Scope

The Administrative Regulations for Board Policy AF: Student Data Privacy vests the responsibility for leadership in the approval of technology applications in the Department of Research and Accountability. Specifically, the Supervisor of Research and Accountability is one of the four staff members in the school system authorized to approve technology applications contracts and terms of use agreements.

To that end, these procedures are established to ensure the approval of web-based tools meets the requirements set in Board policy and regulations as well as applicable state and federal laws.

In the absence of any other Board of Education Policy or Administrative Regulation, this procedure shall be used for the approval of all web-based used by students and staff related to the provision of educational, co-curricular, and extra-curricular programs and services.


### 3. Prerequisites

N/A

### 4. Responsibilities

The Instructional Technology Resource Team (ITRT) maintains the primary responsibility to fulfill these procedures. The ITRT, chaired by the Supervisor of Research and Accountability, is composed of representatives from the Department of Curriculum and Instructional Services and the Department of Technology Services.

Additionally, any staff member requesting the approval of a technology application and the appropriate Supervisor have responsibilities under these procedures.


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## **5. Procedure**


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### **A. Application Approval – Web-Based Tool**


- a. Initial submission
  - i. Staff member desiring to have a web-based tool approved will begin the process by adding a request to the “Technology Request System;”
  - ii. The online process requires the staff member to complete each item on the form;
  - iii. Incomplete forms will be returned to the staff member by the appropriate Supervisor as “denied” for use.
  
- b. Content Supervisor Review
  - i. The Content Supervisor will review the application to ensure that the application will support appropriate instructional outcomes (AR.AF.III.C);
  - ii. If the tool meets the criteria in 5.A.b.i of this procedure, the supervisor will document the compliance and accept the tool and move to the next stage in the process. Otherwise, the supervisor shall deny the request.
  
- c. ITRT – Curriculum Staff Review
  - i. The Curriculum component of the ITRT is comprised of the Coordinators of Curriculum and Instructional Technology.
  - ii. Once a tool is accepted at the supervisor level one of the Coordinators will complete the second stage of the review process based on the established criteria aligned with the requirements established in the Administrative Regulations for Board Policy AF – Student Data Privacy.
  - iii. No web-based tool shall be approved which:
    1. Allows for secondary use of data for marketing, sales, and targeted advertising to users of the service (AR.AF.III.E.a);
    2. Claims that intellectual property rights related to the content that is uploaded or created by the user will be owned by the service (AR.AF.III.E.b);
    3. Contains content that is objectionable and/or does not serve an instructional purpose (AR.AF.III.E.c);
    4. Contains services that require the release of FERPA-protected information (AR.AF.III.E.d).
  - iv. When web-based tools require PII student data, the review shall document compliance with the following:

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1. A prohibition against the vendor's secondary use of student data including sales, marketing or advertising (AR.AF.III.D.a);
  2. A prohibition against the vendor's modification of the contract without advanced notice and consent (AR.AF.III.D.b);
  3. A requirement that the vendor limit data collection and use for the purpose of fulfilling its duties as outlined in the user agreement (AR.AF.III.D.c);
  4. A prohibition against mining data for any purposes other than those stated in the agreement (AR.AF.III.D.d);
  5. A requirement to de-identify PII for any use of data for product development, research or other purposes (AR.AF.III.D.e);
  6. A prohibition against sharing PII without prior written consent of the user except as required by law(AR.AF.III.D.f);
  7. An assurance that all PII student data in a vendor's possession shall be destroyed or transferred to CCPS after the data is no longer needed(AR.AF.III.D.g);
  8. A requirement that any PII on students be made available to CCPS upon request (AR.AF.III.D.h);
  9. A requirement that the vendor have in place management, operational, and technical security controls in accordance with industry best practice to protect from a data breach (AR.AF.III.D.i);
  10. A requirement that the vendor has limited, nonexclusive license to CCPS and student intellectual property, content, and data for the sole purpose of performing its obligations as outlined in the agreement (AR.AF.III.D.j);
  11. A requirement that the vendor agree to comply with all applicable state and federal laws (AR.AF.III.D.j).
- v. If a request is to use a web-based tool from a vendor who has signed the Future of Privacy Forum and The Software & Information Industry Association's "Student Privacy Pledge," the ITRT may forgo the reviews under section 5.A.c.iv of this procedure and document the application as being provided by a "Student Privacy Pledge" signatory. The application shall still be reviewed for the requirements of section 5.A.c.iii.
- vi. The Curriculum Coordinator shall develop and/or obtain documentation, specific to each tool, that ensures:
1. Employees shall follow applicable state and federal laws related to student privacy in the collection of personally identifiable (PII) student data (AR.AF.II.1);

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2. No employee or contracted third party may claim ownership rights, property rights, or the copyright to a student work product or relinquish any of these rights to a party acting for or on behalf of the school system (AR.AF.II.2);
  3. Third-party vendors who collect PII on students shall provide assurances guaranteeing compliance with MD Education Code Ann. § 4-131: operators of school internet web sites, online services, online applications, and mobile applications (AR.AF.II.3).
- vii. If the tool meets the criteria in 5.A.c.iii and either 5.A.c.iv or 5.A.c.v of this procedure, the coordinator will document the compliance with the appropriate sections, including 5.A.c.vi and accept the tool. Any guidelines for teacher use that are mandates to ensure compliance with the board policy or applicable law must be included in the documentation. The web-based tool can then be moved to the next stage in the process. Otherwise, the coordinator shall deny the request.
- d. ITRT -- Supervisor of Research and Accountability Approval
- i. The Supervisor of Research and Accountability, as the chairperson of the ITRT, is responsible to ensure the approvals at the previous stages are complete and comply with all applicable federal and state laws and regulations, CCPS policies and administrative regulations, and this procedure (AR.AF.III.D);
  - ii. The Supervisor of Research and Accountability provides independent oversight of the process.
    1. If the supervisor determines that the documentation is adequate to assure compliance, the supervisor shall approve the application and move the tool to the technical review stage.
    2. If the supervisor determines that insufficient documentation has been presented to assure compliance, the supervisor shall redirect the process back to the stage at which the deficiency exists.
      - a. The supervisor will provide information regarding the reason why the application was returned.
      - b. Staff at the reverted stage shall provide the requested information and resubmit the tool.
      - c. If staff at the reverted stage are unable to meet the request, the tool shall be denied at that level.
- e. ITRT – Technology Staff Review

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- i. The Technology component of the ITRT is comprised of appropriate Technology Services Staff.
- ii. Once a tool is accepted by the Supervisor of Research and Accountability, a Technology Services staff member will complete the next stage of the review process based on the established criteria aligned with the requirements established in the Administrative Regulations for Board Policy AF – Student Data Privacy and ensure that applications meet industry standards for technical security controls to protect the school system from a breach of student data (AR.AF.III.D);
- iii. If the tool meets the criteria in 5.A.e.ii Technology Services staff will document the compliance, assure the web-based tool is not blocked by CCPS internet filters and accept the tool, finalizing the process. Otherwise, Technology Services staff shall deny the request.

**B. Communication of Technology Application Status**

- a. The primary source for information regarding the approval status of technology applications shall be the "Tech Request System."
- b. The "Tech Request System" shall house all official documents related to the approval or denial of any technology applications including, but not limit to:
  - i. Information provided through all phases of the approval process;
  - ii. Copies of any communication between CCPS staff and the representatives from the vendor;
  - iii. Any checklist or rubric used to evaluate the application;
  - iv. Guidelines for teacher use;
  - v. Copies of resource documents for teacher use.
- c. Curriculum staff assigned to the ITRT will maintain an "Instructional Technology Resource Website" to facilitate communication regarding the status of applications to the staff, parents, and the community.
- d. When the status of an approved tool changes, either by removal or modification of guidelines, the Supervisor of Research and Accountability will notify building principals regarding the change. It is the responsibility of the principals to ensure the information is communicated to appropriate staff members.

**6. References**

The Family Educational Rights and Privacy Act (FERPA; 20 U.S.C. § 1232G; 34 CFR PART 99);

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The Protection Of Pupil Rights Amendment (PPRA; 20 U.S.C. § 1232H; 34 CFR PART 98);

Md. EDUCATION Code Ann. § 4-131. Student data privacy;

Md. EDUCATION Code Ann. § 4-130. Rights to student work product;

Board of Education Policy AF: Student Data Privacy and the corresponding Administrative Regulations;

Board of Education Policy IIAA: Selection, Evaluation, and Adoption of Instructional Materials and the corresponding Administrative Regulations.

## **7. Definitions**

Technology Applications – Includes all computers based and online educational resources used by CCPS students and staff.

Personally Identifiable Information – Personally identifiable information includes the student's name, address, telephone number, social security number, or other personally identifiable information. For the purposes of this procedure, personally identifiable information has a meaning consistent with its meaning under the Family Education Rights and Privacy Act (FERPA).