

Procurement Benchmarks for AI in K-12 Education

Using Educational Purchasing Power to Shift
Incentives Towards Technology Development for
Child Wellbeing and Learning





Why Procurement Benchmarks for AI in K-12

- Generative AI and traditional educational technology (ed-tech) products differ in several key ways, including their underlying technology, functionality, adaptability, and potential impact on teaching and learning experiences.
- Technology companies have an opportunity to enhance their AI products and tools by prioritizing children’s specific needs and adhering to legal and regulatory requirements designed to protect them. These changes will help districts and schools move towards their vision for a high-quality education.
- By tailoring the development of products and tools to enhance children’s wellbeing, with a deep understanding of their unique needs, technology companies can significantly improve effectiveness in teaching and learning, data security, privacy, safety, and accessibility.
- School districts and schools have a significant opportunity to drive this positive change by strategically using their purchasing power, provided they receive the necessary guidance to implement this strategy effectively.
- State guidelines for adopting generative AI should set benchmarks for safety, privacy, efficacy, data security, and access. Technology companies meeting these standards can ensure their products are suitable for K-12 districts and schools.
- These benchmarks will also accelerate innovation, paving the way for the expanded use of generative AI in education, by strengthening partnerships between systems and providers.

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Procurement Benchmarks for AI in K-12

Criteria	Description	Key Benchmarks	Necessary Artifacts	Suggested Questions to ask Provider	Sample Procurement Language
Evidence	Measures how well AI-powered products and tools achieve their intended educational outcomes, including factual accuracy and elimination of bias, and protects against technological failures that undermine established learning processes.	<ul style="list-style-type: none"> • Demonstrable impact on learning outcomes through independent studies. 	<ul style="list-style-type: none"> • Independent evaluation performed by a third party. 	<ul style="list-style-type: none"> • What specific evidence exists that establishes that your product or service accomplishes what it is intended to? • What underlying models are used and do they minimize errors and hallucination? • To what extent does the provider report data on student use and who has access to the data? 	<p>“Provider shall provide evidence of effectiveness, including independent evaluations demonstrating evidence of efficacy aligned with the Every Student Succeeds Act.”</p>
Data Security	The protections in place to prevent unauthorized access to or acquisition of personal student and staff information.	<ul style="list-style-type: none"> • Compliance, in all material respects, with federal and state laws and regulations regarding the privacy of information and confidentiality of student records. • Robust encryption methods. • Regular audits, third party audits Auditor selected by district. 	<ul style="list-style-type: none"> • Certificates of compliance with relevant laws. • Security audit reports. • Encryption protocols documentation. 	<ul style="list-style-type: none"> • Does the provider have clean SOC-2 audits? • Does the provider stipulate that student and educator data will not be sold to third parties in any circumstance (even in the event of bankruptcy)? 	<p>“Provider agrees to abide by and maintain adequate data security measures, consistent with industry standards and technology best practices, to protect district data from unauthorized disclosure, use, acquisition, destruction, and modification.”</p>
Privacy	The protections in place to demonstrate both compliance with the law and proper ethical use of PII.	<ul style="list-style-type: none"> • Minimal data collection: only collecting necessary data. • Transparent data usage policies. • Limits resharing of identifiable student data. 	<ul style="list-style-type: none"> • Privacy policy, agreement, or terms and conditions documents. • Data handling and storage procedures. 	<ul style="list-style-type: none"> • Is there a privacy agreement or terms and conditions? If so, does it contain and meet federal and state requirements for protecting student data? • Is parent permission required if the AI software reshapes identifiable student information to build and learn its knowledge base for purposes of resharing outside of the school environment? 	<p>“Provider shall comply and shall assist District in compliance, in all material respects, with federal and state laws and regulations regarding the privacy of information and confidentiality of student records, including, without limitation, the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C § 1232g, the Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, and the Children’s Online Privacy Protection Act (COPPA), 15 U.S.C. § 6501. Further, the provider agrees to collect only data that is essential for the operation of the product and to provide a transparent privacy policy accessible to all users.”</p>

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Criteria	Description	Key Benchmarks	Necessary Artifacts	Suggested Questions to ask Provider	Sample Procurement Language
Safety	The protections in place to prevent and minimize online safety threats such as inappropriate content, misinformation, threats of self-harm or threats to others, and cyberbullying.	<ul style="list-style-type: none"> • Tools should have safeguards against harmful or inappropriate content. • Monitoring and reporting mechanisms. 	<ul style="list-style-type: none"> • Safety feature descriptions. • Detailed incident response plans. 	<ul style="list-style-type: none"> • Does software have threat detection and moderation capabilities? Is there a means to elevate, report, and respond to negative use cases by the appropriate people? • Is there a means to promptly remove content that is false or harmful? • For under age 18 users do teachers and/or administrators have transparency into how students are using the tools (i.e., access to student conversation/transcripts and can get summaries of student AI activity)? 	<p>“Provider shall ensure that all AI-powered tools include safeguards against inappropriate content and a clear, effective incident response plan. Further, Provider may be responsible for structuring and funding any remedy needed after an incident has happened.”</p>
Inter-operability	Ensures AI tools can integrate and function seamlessly with existing technology systems.	<ul style="list-style-type: none"> • Adherence to industry standards for data exchange. • Compatibility with existing educational technology infrastructures. 	<ul style="list-style-type: none"> • Technical specifications and compatibility reports. • Proof of successful past integration 	Can the AI tool be easily integrated with our existing systems and workflows?	<p>“Providers must ensure that the product is fully interoperable with existing systems and adheres to current industry standards for data exchange. Documentation of past integration successes must be provided.”</p>
Access and Digital Divides	Ensures equal opportunity for all students and staff to utilize the technology.	<ul style="list-style-type: none"> • Accessibility features for disabled users. • Language options for non-native speakers. • Affordable cost or licensing options for underfunded schools. 	<ul style="list-style-type: none"> • Accessibility compliance certificates. • Multilingual support documentation. • Pricing models showing affordability. 	<ul style="list-style-type: none"> • Does the vendor provide training for students and staff on use of the AI tool? • Can the AI tool be accessed on different types of devices (not just smartphones) to ensure access by persons of all socioeconomic sectors? • Does the AI tool support multiple languages? • What support is offered to educators to ensure equitable adoption? 	<p>“Provider shall demonstrate the provision of equitable access through accessibility features, multilingual support, and scalable pricing models suitable for various funding levels.”</p>

Opportunity Labs Foundation, Inc. is a national 501c3 nonprofit research, policy, and consulting lab established in 2019 with a mission that is simple yet powerful: to increase the measurable impact of individuals, organizations, and institutions working to help children and young adults thrive. We focus on building and championing practical, holistic solutions at the intersections of education, health, housing and work.

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