



Understanding the *Children's Online Privacy Protection Act*

by Art Willer, M.Ed.

One day, a teacher called and asked me whether our products print lists of children's names and passwords. I answered that our products certainly did not. I explained that, if they did, it would be a breach of accepted security practices.

The teacher went on to say that I did not understand. If our apps did not print out children's names and passwords, how would he be able to help when a child forgot his or her password? He added that twenty other programs he uses in his classroom print password lists.

When I pressed harder on this being a serious security breach and that his clerical needs were secondary, the teacher replied that we were only talking about children's records.

That the teacher made this last remark, told me he was clearly not aware of the legal and professional obligations surrounding the care of children's information, especially when it comes to online student records.

The *Children's Online Privacy Protection Act* (the "COPPA") was created and passed in 1998 by the Congress of the USA for enactment in 2000, just as we entered the twenty-first century. Unlike most laws that are passed well after they are initially needed, the COPPA was an amazingly insightful piece of legislation that anticipated the Internet we know today, and all the inherent problems it presents when it comes to privacy.

First and foremost, the COPPA states that children's online privacy must be protected at least as vigorously as the rest of the population's privacy, if not more.

Secondly, while the COPPA targets online service providers, it sets a standard for online privacy protection that everybody is required to follow. We comply with the COPPA (or we do not comply as the case may be), by restricting our use of online applications to those that comply with the COPPA.

I only became aware of the COPPA when a customer school district challenged my company to demonstrate we were COPPA-compliant. We were able to do that because all our practices and security measures already met or exceeded the COPPA requirements. Since then, not one other district has ever raised the question, which is why I am writing this article.

The COPPA, and security in general, are all about what we do with private information. And most of it is very easy to understand. To assess whether or not you are currently complying with the COPPA, try this true or false questionnaire:

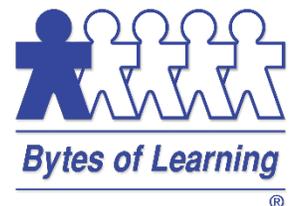
1. I never use instructional applications that do not explicitly state they comply with the COPPA. T / F
2. I never upload information to online applications that is un-necessary to instruction or management of student accounts, such as birth dates, photos, parent names, birthplaces, or sex. T / F

3. I never transmit lists of children's names and passwords as attachments to or insertions in emails, sent to online vendors so they can enroll my classes for me. T / F
4. I never print lists of children's names and passwords (or other private information) except using local school information systems that are vetted for security, and I never leave such lists on my desk or any other unsecured place. T / F
5. I always use a secure password for any admin or teacher accounts I have, and I never write my password on a sticky note and leave it on my computer monitor (or do anything like that). T / F
6. Even when I use applications that state they comply with the COPPA, I follow all of the other practices stated here. T / F

If you answered false to any of the above questions, you are putting your students' privacy at risk and are therefore not in compliance with the COPPA. If you answered false to all of the above questions, then you really need to re-consider your practices. These points relate to the questions.

1. Some companies do not state they comply with the COPPA because they cannot. They are in the business of gathering private information and using that information to assist in target advertising. Free online apps should immediately draw your attention as likely COPPA violators.
2. COPPA-compliant apps never ask for birthdates or anything else beyond a name and student ID. The correct way to distinguish one student from another is to incorporate their school identification number or some other unique and non-revealing piece of information.
3. One security tenet is that the best way to secure information is to never transmit it, and never provide the ability to transmit it. That is why a secure application never prints lists of children's names and passwords. The secure application does not even *know* the child's password – it asks its encrypted database whether or not whatever was entered, matches the password on record. It never asks for or transmits the password even to check its accuracy.
4. There is a big difference between a highly secured school information system (SIS), and an online application. The SIS is an inside tool, and the online app is an outside tool. What you do with one, you never do or expect from the other.
5. By far the most common way any system gets hacked is not by clever people, but by people who have come by an unguarded or easily guessed administrator password. This more common form of hacking is another reason why secure programs do not transmit passwords.
6. COPPA compliance is not a state. It is an outcome of consistently excellent security practices. In other words, privacy protection results from all the little habits we follow. Since they are largely just good habits, they and the COPPA itself are not actually all that hard to abide by.

About the author: Art Willer is the founding president of Bytes of Learning Incorporated, which researches, develops and publishes professional online instruction for education. Art is a former classroom teacher who completed graduate studies at the Ontario Institute for Studies in Education (U Toronto) with focus on curriculum and language development. Art has written many provocative articles for the education community.



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