SUMMARY: 2019 STATE OF EDTECH PRIVACY REPORT

Common Sense Privacy Program

The Common Sense Privacy Program provides a framework to analyze and describe information in privacy policies so that parents and teachers can make smart and informed choices about the learning tools they use with their children and students, while schools and districts can participate in evaluating the technology used in K–12 classrooms. With the involvement of over 250 schools and districts, we are working in collaboration with third-party software developers to bring greater transparency to privacy policies across the industry. We have been collecting and incorporating feedback from stakeholders about how to share the results of our privacy evaluations since our last *State of Edtech Report* in July 2018. Since last year, we have spoken with numerous teachers, students, parents, developers, vendors, privacy advocates, and industry representatives about their perspectives on privacy.

This *2019 State of Edtech Privacy* report represents the culmination of our research over the past three years in evaluating hundreds of education-technology-related applications and services. The report includes findings from evaluations of 150 privacy policies from the most popular edtech applications and services in 2019, as determined from interviews with various teachers, schools, and districts as well as total App Store downloads during the past 12 months. The 2019 data is compared to our findings from 100 evaluations completed in 2018. These applications and services provide a representative sample of the wide range of educational technologies that include educational games and tools for communication, collaboration, formative assessment, student feedback, content creation, and delivery of instructional content. These types of applications and services are currently used by millions of children at home for play and homework, and by tens of millions of students in classrooms across the country. In order to effectively evaluate the policies of all these applications and services, a comprehensive assessment framework was developed based on existing International, U.S. federal and state law, as well as privacy and security principles and industry best practices.

What is the state of edtech privacy in 2019? Since 2018, the state of edtech privacy has improved with overall privacy evaluation median full scores increasing by approximately 15%, from 45% to 52%. So since last year, we have seen some significant improvements in the education technology industry across a wide range of privacy, security, safety, and compliance concerns. However, this improvement may still not be sufficient to protect kids using edtech products. Our findings in 2019 still indicate a widespread lack of transparency and inconsistent privacy and security practices for products intended for children and students.

We observe changes in privacy policies of education technology and we analyze those changes in the aggregate for two important reasons. First, we note that change is possible. Too often, the media coverage of online privacy strikes a note of futility. We can't change the system, they say. Economic pundits surmise that our economic system is built on an exchange of privacy for free services, and, in many cases, for paid services as well. Second, we note that change is ongoing. Improvements in privacy awareness and privacy disclosures, which we expect to operate in a feedback loop going forward, will continue to result in year-over-year increases in our results. How can we be so optimistic? While the degree of regulation of privacy disclosures may ebb and flow (although we strive to move these toward increased transparency as well), fundamentally once the public is aware of their rights, they are especially reluctant to forfeit them. Once consumers think they are entitled to know what happens to their personal data once they input their information into the little boxes in an online form, it should be difficult to persuade them that they no longer have this right. Once a vendor has seen its customers flee in droves after the vendor has improperly used customer data entrusted to it, the vendor should be wary of another such oversight.

Still, we need this type of report and in-depth analysis of privacy practices in the edtech industry. The granularity of our research is critically important to achieving meaningful change. We intend to establish a comprehensive edtech privacy industry standard, composed of many laws, regulations, and best practices, that can be held up when someone asks: Why do we have to do this practice? The answer is, look here, we have the state of edtech privacy report in hand and it says this is what our competitors are doing and what privacy protections our customers expect. This is the law. These are the best practices. This is the right thing to do to earn the respect of parents and educators.

Given all of the privacy policy changes that occurred in 2018, we suspect that many companies may be done making substantial privacy policy changes for the next year or two. Nevertheless, we hope that the suggestions made in this report, the incremental changes since last year in our evaluation process, as well as the comprehensive industry standards we apply in our evaluations, will encourage improvements in privacy practices and disclosures in vendors' privacy policy and terms of use even beyond the impact of a new law or publicized fines. We encourage vendors to use this report to effectuate privacy-by-design and security-by-design as part of their product development and product improvement processes. We also hope to educate the teachers, district administrators, and technologists about edtech products, enabling quick comparisons where there was once a slog through endless product documentation and worse yet, marketing materials, to ascertain what privacy practices are available to protect their students in the classroom. We will continue to alert parents to which products are appropriate for their children, both in terms of advocating for their children within the education system and for home use, when appropriate.

Read the full report at: **commonsense.org/StateofEdtech2019**.