

**Before the  
Federal Trade Commission  
Washington, DC 20580**

**In the Matter of:**

COPPA Rule Review 2005

Project No. P054505

**Comments of the Consortium for School Networking**

The Consortium for School Networking (CoSN) is a non-profit organization that promotes the use of new technologies to improve learning in K-12 education and provides resources and support for ed-tech leaders at the state and local level. CoSN's membership includes national education associations, local school districts, state education agencies and individual leaders in ed-tech that are committed to integrating technology into the classroom.

CoSN has submitted comments in several proceedings related to the Children's Online Privacy Protection Act (COPPA) regarding how best to apply parental consent in a way that protects the safety and privacy of children online, but does not limit the ability for children to access information online, particularly while in the classroom setting. CoSN's principal concern with COPPA and its parental consent requirements is that it may interfere with children accessing educational information in a school setting, and may be especially burdensome for those children from low-income, technology illiterate, or non-English speaking households for whom obtaining parental consent is a difficult process.

Of primary concern to CoSN and its membership in the current proceeding is the FTC's request for comment on the effectiveness of and need for the sliding scale approach to obtaining verifiable parental consent. As stated in February's sliding scale proceeding (Project No. P054503), CoSN supports making the sliding scale system permanent. In our experience, the sliding scale provides appropriate flexibility in obtaining parental consent and has appropriately balanced interests in the school context.

In the years since the FTC's Rule has been passed, the sliding scale system has struck a careful balance between the protection of children's privacy and their access to content-rich educational websites that are designed specifically for children. The sliding scale rule provides clear rules to operators as to what is required depending on the intended use of any information collected, and allows parents to become involved in their child's online activities, but does not stifle innovation or interfere with the educational experience. Even as new filtering and digital signature technologies emerge, it is essential that this careful balance be upheld. For all these reasons, we urge that the sliding scale be made permanent.

Furthermore, as an organization whose membership includes education leaders on the school, district and state levels directly involved in technology, CoSN has not received any reports from its members that the current rules are either burdensome to educators or that they are ineffective. Therefore we do not believe there is any need for these rules to be augmented or

changed. If the Rule were to be changed to become more stringent or “airtight,” we fear that it will become increasingly difficult for children to access information of their choice online, and website operators may consequently be reluctant to deploy innovative learning sites geared toward children.

Though there is no “silver bullet” to ensure that a child’s personal information is always used appropriately and is in the right hands, the sliding scale approach responds appropriately to the diversity of Internet content, while allowing teachers to use this valuable content in the classroom. CoSN therefore urges the Commission to make permanent the sliding scale rule so that teachers can rely on the current flexibility afforded in the law.

We applaud the Commission’s efforts on this issue.

Respectfully submitted,

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