2021
STATE OF KIDS' PRIVACY
Common Sense Privacy Program

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The *2021 State of Kids' Privacy* report represents the culmination of our research over the past five years in evaluating hundreds of education and consumer technology-related applications and services. Our evaluations include a careful reading and in-depth analysis of all the publicly available privacy policies and terms of use by trained privacy attorneys and privacy experts in order to rate and score products with the highest possible quality and accuracy on a 100-point scale across 155 unique evaluation questions. This report includes our findings from evaluations of 200 products' privacy policies in 2020 and 2021 from the most popular kids tech and edtech applications and services, as determined from interviews with various parents, teachers, schools, and districts, as well as total Apple and Google App Store downloads during the past 12 months in the kids and education categories. While we started evaluating apps in 2018 that might be used primarily by children under 13 years old and students in pre-K through 12th grade, our privacy evaluation process has since expanded to also examine the privacy practices of products for teens and adult consumers. In addition, products added since 2020 include more child-intended products rather than only student-intended products in order to create a more diverse and representative sample of the real-world environment in which children use tech products both at home and in the classroom. The 2021 data in this report is compared to our findings over the past four years to provide a detailed look back at the privacy practices in the industry over time with a focus on kids.

Consumers' expectations of privacy have changed dramatically over the past few years with the passage of new state privacy laws across the nation. Companies have since adapted and changed their

privacy practices in response. This monumental shift in focus and attention on the privacy practices of companies' products is also the result of a changing privacy compliance landscape. Legislative initiatives such as the Europe-based **General Data Protection Regulation (GDPR)** in 2018, and the corresponding California Consumer Privacy Act (CCPA) in 2019, as well as the passage of several other state privacy laws across the nation including the **California Privacy Rights Act (CPRA)** in 2020, created a new narrative that highlighted the privacy shortcomings of big tech and social media companies, leading consumers to look more closely at the privacy practices of the products they use every day. These factors prompted companies to update their policies at an unprecedented rate. Over half of the most popular applications and services evaluated in this report have had to be completely re-evaluated every year due to legislative privacy changes and shifts in consumer expectations.

In 2020, as a result of the COVID-19 pandemic accelerating the already existing progress toward online education, we have added new products, as well as removed discontinued and lesser-used products. The 200 products used in this report are a snapshot and moving target of what we know from parents and educators to be the most popular applications and services used in the classroom by students and children at home in 2021. The privacy evaluations used in this report are continually updated and available on our Common Sense Privacy Program website, and we encourage readers to utilize these free resources to supplement the reading of this report.

In 2021, the state of kids' privacy is far below parents' expectations, and products used by children are not nearly as privacy-protecting as they should be.

Despite the rapid pace of change in the industry, many companies have not updated their policies with better privacy-protecting practices to keep pace with changes in legal requirements and privacy best practices. As a result, there is still a widespread lack of transparency across all our evaluation questions, as well as inconsistent practices that apply to some users but not others, and "unclear" practices for both kids' tech and edtech applications and services directed toward children and students. However, the good news is that the overall full evaluation median scores have incrementally increased year-over-year since 2018 by 20%, and the majority of the evaluation concern category median scores are stable in 2020.

The following chart summarizes our **Evaluation Concerns** category median scores:

While these stable median scores are somewhat promising for transparency, there is still considerable work that needs to be done. The majority of applications and services analyzed in this report used by children or students either do not adequately define safeguards taken to protect child or student

Figure 1: Key findings indicating median score changes year-over-year results
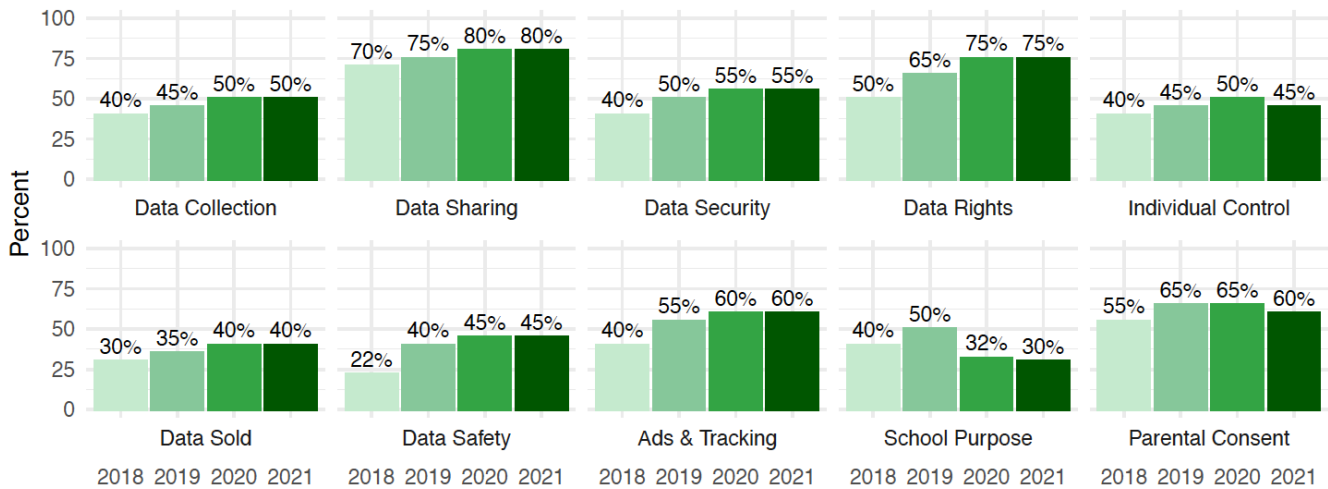

information, or they lack a detailed privacy policy. While the number of products that meet our minimum safeguards that protect all users of a product, and therefore receive a Pass rating, more than doubled since 2018 from 10% to 26%, that still leaves 74% of applications and services in 2021 with our Warning rating that means they are not meeting our minimum privacy recommendation threshold. As privacy laws continue to be passed that focus on more of the privacy practices used in our Warning rating, applications and services with a Warning rating are more likely to change their privacy practices next year to keep pace with changing compliance obligations or risk falling further behind the industry.

The following chart summarizes the percentages of "better," "unclear," or "worse" responses to evaluation questions used in our **Evaluation Ratings**:

Technology platforms used by children and students serve an especially vulnerable population and should be held accountable and to a higher standard. The lack of transparency, as shown in figure 2's "unclear" responses and which was pervasive across nearly all indicators we examined, is especially troubling. In our analysis, transparency is a reliable indicator of quality; applications and services that are already transparent in their policies about their privacy practices also tend to engage in qualitatively "better" privacy and security practices. However, our analysis also indicates that products that are not transparent are typically withholding "worse" practices, especially practices that involve a product's monetization of its users' data. Yet when practices are not disclosed, there can be no standard of trust from parents, teachers, schools, or districts about how information collected from children and students will be handled and protected. We fully recognize that a number of factors conspire to make the privacy landscape a particularly thorny one, marred by complex laws and statutes, technical issues and legacies, and keeping up with the changing needs of educators, students, children, and parents.

Figure 2: Key findings indicating changes in responses to rating-related questions year-over-year results
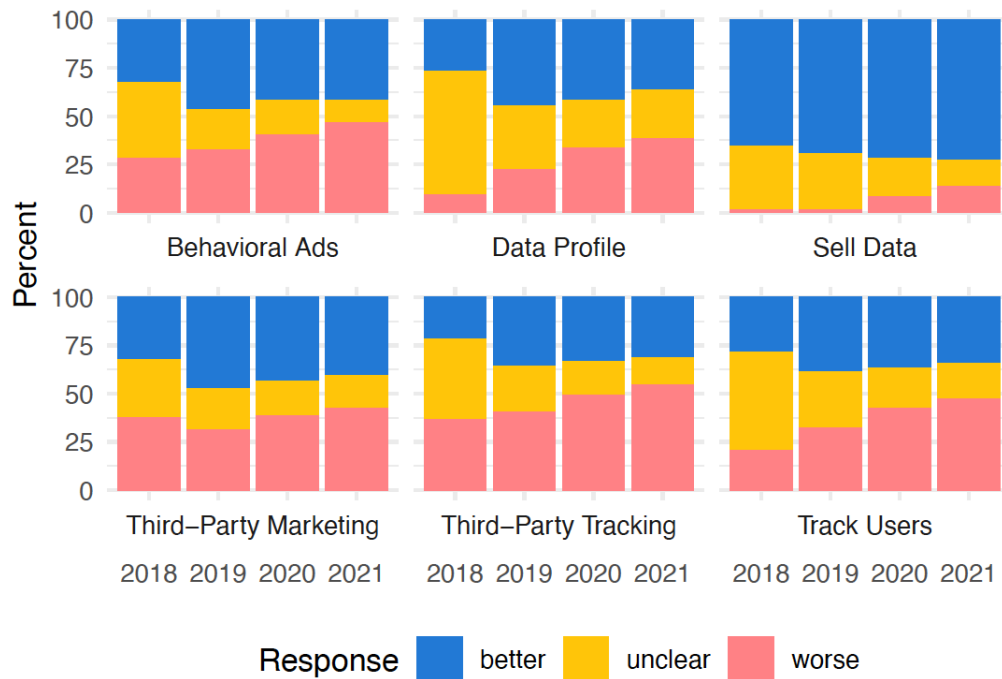
There has also been improvement with a small number of companies updating their policies with "better" privacy practices to differentiate their products from the rest of the industry. These companies use our ratings and evaluation questions to better communicate to their users how they respect privacy. Further, they are trying to set an example for the entire industry by showing that privacy can be a competitive advantage in the marketplace for parents and educators who are looking for products with "better" privacy-protecting practices for themselves and their children and students.

Unfortunately, there is still far too little attention paid to the privacy and security practices of technology platforms that affect tens of millions of children on a daily basis. It is vital that educators, parents, and policymakers engage in an open dialogue with companies to build solutions that strengthen our children's privacy and security protections. This report can inform those critical conversations, and we intend to continue our research with biannual updates and resources for policy makers on the evolving state of kids' privacy.

Read the full report at: commonsensemedia.org/research/state-of-kids-privacy-2021