

Good afternoon. I am writing to express concern over the implementation of Class Dojo. It seems like such a cute and simple idea and yet I have come to realize that many times the devil is in the details.

There's also no such thing as a free lunch, so I have to wonder about what offering this Class Dojo "for free" gains for those who are behind it.

I sincerely do not intend to make mountains out of molehills here. But we cannot be too careful when it comes to our children and their privacy on these web based applications. And at the very least I wish that parents could have been informed about this before it was introduced to the children.

I have reviewed both the Privacy Policy and Terms of Use policies available on the website. Besides my own personal opinion about Class Dojo and the use of this type of reward system, I have privacy concerns as well.

Upon review of the Terms of Use that must be agreed to in order to be able to use Class Dojo I found this:

"(c) If you are accessing the Services on behalf of a school or district, the following terms also apply to you:

(i) You represent and warrant that you are solely responsible for complying with the Child Online Privacy Protection Act ("COPPA"), which requires parental consent for online collection of personal information from children under 13. You must obtain advance written consent ("Consent") from all parents whose children will be accessing the Services. When obtaining Consent, you must provide parents with a copy of our Privacy Policy <http://www.classdojo.com/privacy> You must keep signed Consents on file and provide them to Company upon our request. For more information on COPPA, please see www.ftc.gov/privacy.

... (d) If you are accessing the Services as a teacher, the following terms also apply to you:

(i) You represent and warrant that you have permission from your school and/or district to enter into this Agreement and to use the Services as part of your curriculum. You further represent and warrant that you are entering into this Agreement on behalf of your school and/or district, and that you have authority to bind your school and/or district to the terms of this Agreement.

(ii) You represent and warrant that you are solely responsible for complying with COPPA, which requires parental consent for online collection of personal information from children under 13. You must obtain Consent from all parents whose children will be accessing the Services. When obtaining Consent, you must provide parents with a copy of our Privacy

Policy <http://www.classdojo.com/privacy>. You must keep signed Consents on file and provide them to Company upon our request. For more information on COPPA, please see www.ftc.gov/privacy."

On the COPPA.org website it states that:

"The Children's Online Privacy Protection Act and Rule apply to individually identifiable information about a child that is collected online, such as full name, home address, email address, telephone number or any other information that would allow someone to identify or contact the child..."

If only first names of the children were put into the system, perhaps [the school] is absolved of the requirement to obtain consent mandated by COPPA. And technically, the children are not "accessing" the system themselves. And I'm sure you have no intention of putting their photographs into the application or using audio or videotape. I am trying to discern through all the legal mumbo jumbo if COPPA applies here. However, as a matter of courtesy, parents should have been informed. And depending on what information was given when the accounts were created, the company potentially knows her first name, the school she attends, her teacher's name, and that she's in Kindergarten. And they would have her last name if I signed up for the site with my email address.

The paper that was sent home said nothing about consent, just that we signed up to receive the reports. I am sure parents who signed into the system with the access codes you provided had to check a box saying that they read and accepted the privacy and terms of use policies, thereby giving their consent, but it wasn't done in advance of introducing Class Dojo to the students.

The end user agreement is very clear that the company does not guarantee that content put on the website application will not be viewed by unauthorized persons. Furthermore they state they are not responsible for circumvention of any privacy settings or security measures contained on the site. Additionally the agreement states that third parties will have access to some of the data. And even if the data is removed their agreement says they cannot guarantee it is removed permanently. I realize this is pretty standard stuff with any web application that as adults we may sign up for, but it is different when it involves children and especially information that is entered over which parents have no control. It potentially exposes us to marketing materials that we do not want.

From the user agreement:

"5. Sharing of Personal Information or Children's Personal Information Received by Company

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Agents: We employ other companies and people to perform tasks on our behalf and need to share your information with them to provide products or services to you. Examples include sending email, analyzing data, and providing customer support and user services. Unless we tell you differently, Company's agents do not

have any right to use Personal Information or Children's Personal Information we share with them beyond what is necessary to assist us. You hereby consent to our sharing of Personal Information and Children's Personal Information for the above purposes."

I have to wonder who these agents are that might be "analyzing data"? On one hand the policy states that the company does not share Children's Personal Information, but then it adds the caveat "beyond what is necessary to assist us." So, in reality, any child's personal information is fair game if they declare it is "necessary" in order to assist them.

Recent changes to the federal privacy law regarding education (FERPA) allows third parties to access data on our children without parental consent. These third parties include any government or private entity that tells the US DOE it is evaluating an education program. The PDE has created a P-20 longitudinal database (pre-K to career) on our children with the intention of tracking them throughout their school years up to their employment in the work place. This database will include information about a child's behavior and will be kept on a "permanent record." The federal government and approved third parties will have access to this database. Who knows if someday data from Class Dojo might find its way into this database.

I realize this not what you intend to do with this application, but it is a reality we must face that any on-line application we use gives access to data about our children that we do not want shared. And parents should be properly informed as to how data on their child could potentially be used and by whom.

As far as the behaviors on which our children are being assessed, I specifically object to the use of the word "bullying" in the manner you describe. Bullying is a serious matter. This label should only be attached to a child under the most serious of circumstances. 5-6 year olds are not bullying when they speak unkindly or act out, or touch another child, they are being 5-6 year olds. Most of them have not yet reached the age of reason to understand their behaviors and self regulate. Bullying is very specific and malicious behavior that involves intimidation and preying on weakness. Teasing and bullying are not the same. Neither is desirable behavior but one is very serious charge that carries long term consequences in this day and age.

It is unfortunate that the clip/color system insufficient to manage classroom behavior.

Outside of academics, I sent my daughter to Catholic school to be in a strong, but loving, disciplinary Christ-centered environment where she would learn that God wants us to emulate Jesus by loving one another and treating others as we want to be treated.

Pope Benedict XVI, in an address to Catholic educators in April 2008, had this to say about the philosophy of Catholic education:

"Education is integral to the mission of the Church to proclaim the Good News. First and foremost, every Catholic educational institution is a place to encounter

the living God who in Jesus Christ reveals his transforming love and truth (cf. Spe Salvi, 4). This relationship elicits a desire to grow in the knowledge and understanding of Christ and his teaching. In this way those who meet him are drawn by the very power of the Gospel to lead a new life characterized by all that is beautiful, good, and true; a life of Christian witness nurtured and strengthened within the community of our Lord's disciples, the Church."

There is no behavioral psychology or social emotional learning strategy in this world that can replace that!

I do not appreciate finding out about this after it was already implemented without being provided the opportunity to ask questions before the children saw it as now [my daughter] is all excited about her little avatar monster and comes home begging me to get on line to change her "monster." This has put me in quite a pickle. I do not intend to sign up to use the application at home. If any behavior issues arise that cannot be properly managed and resolved in the classroom, I presume I would have already or will hear from you about it.

My hope is that you will find another way of motivating our children to make better choices in their behavior that remains within the walls of the school. For serious and repeated infractions of class rules, I know that the threat of losing her turn at certain privileges such as being line leader or class helper would really get [my daughter's] attention. Or a good old-fashioned trip to the Principal's office might be in order.

I pray that you will take my concerns as a parent in the spirit of love and understanding and that you will give me the courtesy of a response. Does COPPA law apply here and thus was the school required to obtain parental consent prior to implementing Class Dojo or am I mistaken in how I am reading this privacy policy?

God bless.