

FTC Scrutinizing Ed Tech Providers and Endorsements

In its most recent open meeting, the Federal Trade Commission unanimously: (1) issued a Children's Online Privacy Protection Act policy statement directed at ed tech providers, and (2) proposed amendments to the *Endorsement Guides*, which address influencer advertising on social media and consumer reviews.

The COPPA policy statement makes clear that the FTC is scrutinizing the privacy and data security practices of ed tech providers, with a focus on COPPA's data collection, use, and retention limitations as well as data security obligations.

The proposed amendments to the *Endorsement Guides* would address fake reviews and add a provision that advertisers should not distort or misrepresent what consumers think of their products, such as by suppressing negative reviews.

The FTC has also proposed a new section to the *Endorsement Guides* that says that child-directed endorsements are of special concern. However, the FTC does not provide any guidance or best practices, explaining that it lacks sufficient evidence in the record to do so. To obtain more evidence, the FTC has announced a workshop on October 19, 2022.

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