My husband Dave and I began our company, Software Smoothie, to build fun, educational & family-friendly apps inspired by our seven children. Together we have built several apps, including Felt Board, an interactive felt board with hundreds of felt-like pieces for creative play. We build apps with our own children in mind and work hard to ensure that our apps are educational and respect the privacy of those who use them.

As parents, we see the huge benefits technology can have in children's lives. In fact, my husband has started family programming lessons. Our kids are learning what particular lines of code are doing and changing lines to accomplish new tasks. There's a good chance that our kids might be making their own apps in the near future (and possibly preparing for high paying jobs in the technology industry).

With Dave's experience as a software developer and my background as a teacher, making educational apps from home was a logical choice for a business because startup costs were low and so far we have been able to handle all of the design, development and marketing ourselves. We didn't have to rent office space and equipment, or hire a bunch of expensive consultants. Currently our app business provides much needed supplemental income we need to raise our large family. We hope to eventually expand our business so that it provides full time income for the two of us.   It has been a wonderful opportunity and learning experience for our entire family and we hope to continue to grow our family business.

The proposed changes concern us primarily because of the risk involved for small companies such as ours who cannot afford to hire expensive lawyers and technical support just to ensure compliance with COPPA.   There is still some confusion and uncertainty regarding COPPA among independent app developers like ourselves and we are not sure how to go about finding answers to questions relating to our specific needs. For instance, some sort of personally identifiable information is necessary when creating an educational app that records individual student achievement and reports to parents and / or teachers. If that personal data is entered by the parent or

teacher and stored on the device only, is that in compliance with COPPA? What If a report is generated and sent via email from the child to the teacher or parent? Is parental consent needed in a case like this, and if so, how is it obtained? More and more educators are expecting these kinds of features in apps, and we need to be able to offer such features in order to compete. Paying additional costly consultant fees in order to fully understand and comply with these regulations would make apps such as ours cost prohibitive. We would like to be able to figure out how to comply with COPPA without the need to hire consultants.

I'm pleased to see that third party tools may be used for app internal purposes. This could be beneficial for our apps and allow us to improve the educational aspects of them if we're able to get reports on how the apps are used. However, due to liability concerns by third parties, I worry that these useful providers might not allow kids apps to use their services. Additionally, I am concerned that by using third party SDKs or analytics we are risking liability for how that third party uses information and fear we could be possibly held accountable for something we have no knowledge or control over. Further clarification in this area would be greatly appreciated.

As a parent first and a developer second, I work hard to make sure my apps comply with all laws and best practices. However, if COPPA is confusing and difficult to follow, small businesses will be forced to think twice about making apps, which would negatively impact many families and independent app developers like us.   I appreciate very much the recent efforts to clarify COPPA, specifically as it relates to third party analytics and what constitutes personal identifiers. I encourage the FTC to continue to consider small businesses like ours and change COPPA to make it easier for family app developers to understand and comply with.

Mindy Douglas
Software Smoothie