



## ***Click if You Agree Teacher's Guide***

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## ***Click if You Agree was created by***



MediaSmarts is a Canadian, not-for-profit centre for digital and media literacy. MediaSmarts' vision is that young people have the critical thinking skills to engage with media as active and informed digital citizens.

MediaSmarts:

- **offers** hundreds of free media literacy resources including classroom ready lesson plans, online educational games for kids and background information on media literacy, all of which are available on the MediaSmarts website <http://www.mediasmarts.ca>.
- **provides** professional development (PD) resources and training. MediaSmarts' PD resources are available through a licensing arrangement to provincial/territorial departments, school districts and boards, libraries, post-secondary institutions and individual schools.
- **conducts** research. Since 2000, *Young Canadians in a Wired World* (YCWW) — the most comprehensive and wide-ranging research of its kind in Canada — has examined the Internet activities and attitudes of more than 11,000 students in grades 4 to 11.
- **hosts** *Media Literacy Week* in partnership with the Canadian Teachers' Federation. The purpose of the week is to promote media literacy as a key component in the education of young people and to encourage the integration and the practice of media education in Canadian homes, schools and communities. Visit the *Media Literacy Week* website at [medialiteracyweek.ca](http://medialiteracyweek.ca) for more information on this event.

*This project has been funded by the Office of the Privacy Commissioner of Canada (OPC); the views expressed herein are those of the author(s) and do not necessarily reflect those of the OPC.*

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# Introduction

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The purpose of *Click if You Agree* is to teach teens and pre-teens the skills they need to read and understand the privacy policies and terms of use they must agree to on most of the websites they visit and in the applications they use.

This Teacher's Guide contains background information, learning expectations and points of discussion on the privacy policies and terms of use documents within the game. The guide also includes an overview of the game, exercises and handouts to help twelve- to fourteen-year-olds develop the skills and the confidence to read those policies before clicking "I Agree". These resources can be used in the classroom or at home.

Worksheets, handouts and activities in this Teacher's Guide may be reproduced for personal or educational use without permission, provided the copyright notice remains intact.

# Why we created Click if You Agree

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*Click if You Agree* helps children between the ages of twelve and fourteen develop skills and confidence to read privacy policies and terms of use before automatically clicking on “I agree”. Most websites and applications require users to agree to conditions and rules established in a privacy policy, in terms of use (or in both). Like most adults, children are more likely to skip these policies and automatically click on “I agree” so that they can start using the site, application or game.

Although we may think of youth as being “digital natives,” MediaSmarts’ research has shown that while young people are concerned about their privacy, few understand exactly what privacy policies and terms of use are and why they’re important. That’s particularly important at this age because many sites and apps require that users be 13 or older before signing up, which means that for many youth these will be the first legal documents they ever agree to.

*Click if You Agree* stresses the importance of reading and understanding specific sections of privacy policies and terms of use in order to avoid breaking the rules, and also in order to understand people’s rights as consumers. Because these policies are often written in legal language that can be hard for even most adults to understand, the game teaches students how to spot “red flags” indicating best and worst practices and provides plain-language translations of common elements, so that they no longer have to choose between reading the entire document and blindly clicking “I agree”.

## What are Privacy Policies and Terms of Use?

Both of these terms refer to legal documents that users must agree to before they’re allowed to use a website, application or service:

Privacy Policies explain how the operator can use any data that you provide to them, whether directly (by sharing photos or other content) or indirectly (through anything you do which can be tracked and used to build a profile of you.) Privacy policies also lay out what data they can share with third parties (like advertisers), what choices you can make about limiting what data is collected or shared, what happens to your data if you close your account, and what you can do if you think the policy has been violated.

Terms of Use (also called Terms of Service) are a more general explanation of the conditions under which you use a website, app or service. These include what kind of behaviour is acceptable and unacceptable, who owns the content you create or share, how you can close your account, what you can do if you think the policy has been violated, and many other rules.

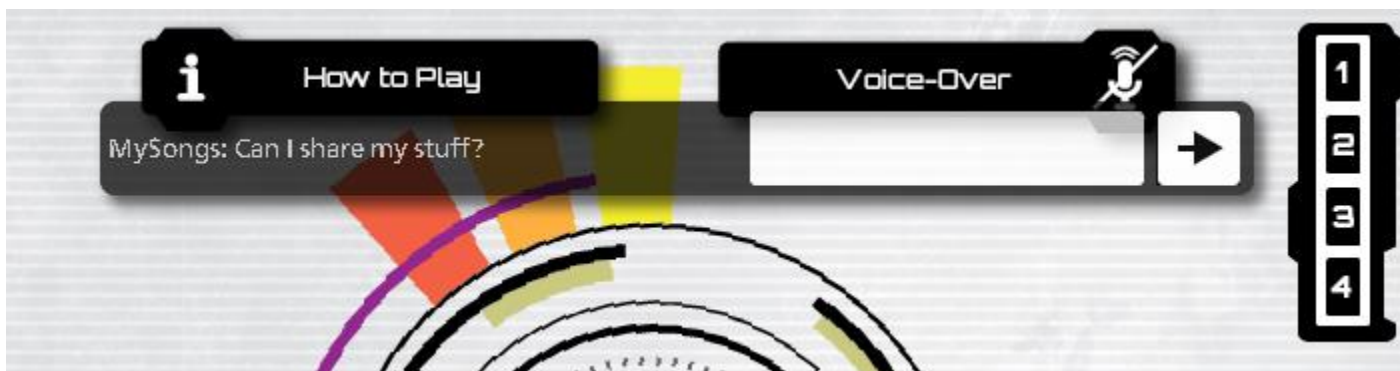
# Overview

*Click if You Agree* presents four scenarios based on websites and applications that are popular with children ages 12 to 14: an online multiplayer game, a music store, a photo application and a social media site. With the help of four robots and a special scanner, students are asked to decide what to do in each scenario by finding relevant information in privacy policies and terms of use for each scenario's website or application. (These documents are intentionally written in legal-sounding language.) The scanner helps them zero in on the relevant parts of the policy, and once students have selected the paragraph that they think is most appropriate to their task, the robots explain, in plain language, what the paragraph that the student has selected means.

At the end of each scenario the student needs to decide what to do, based on his or her understanding of the policy or terms of use. The student is then given a ranking based on how quickly and how accurately they find all of the correct information and answer the final questions. This ranking system has been integrated into the game to encourage students to replay scenarios and increase their scores (and see content and feedback they may have missed the first time around).

## Scenarios and play flow

**Play Flow:** The scenarios can be played in any order, although we recommend that students start with the first scenario if they have never played *Click if You Agree* since it contains additional guidance and instructions. Once a scenario is completed, a ranking screen will appear telling the student how well they did and the student will then have the option to start the next or another scenario or quit the game.



Students can go to the second, third or fourth scenario directly by using one of the following codes on the title screen of the game:

Scenario name	Password
MySongs	music
Instantphoto	photo
FriendFile	social



# Introductory scenario: QuarryCraft

*Who owns the content I created?*



Students start the game with the QuarryCraft scenario, which is based on a fictional online multiplayer game where players can create and share content such as maps and models. Because this is the introductory scenario, there are additional instructions on how to play.

In this scenario, the student wants to move content they have created on QuarryCraft to a new platform and needs to know if they can do this. To find out, they have to look at QuarryCraft's Terms of Use to find out what they are allowed to do with content they have created for the game. Once they find enough information, they are asked to make a final decision on what to do. This final decision confirms how well the student has understood that they only own their own content as long as it does not contain other people's intellectual property and that there are some limitations as to what they can do with it.

## Correct paragraphs

From the QuarryCraft Terms of Use	Relevance
<p>You keep ownership rights of all of your content so long as it does not contain substantial code or content owned by QuarryCraft. QuarryCraft grants you the right to use, distribute and share non-commercial content you create. If you send, create or post content using QuarryCraft, you are promising that you own the right to publish that content or have written permission to publish it and you give QuarryCraft worldwide, non-exclusive, royalty-free, assignable or transferable rights to use your content on any known channel or future channel and through any media channel in relation with QuarryCraft's activities and services.</p>	<p>This paragraph is the most important for the question because it is the one that clearly states that players own their own content and are allowed to do some things with it as long as it doesn't contain any of QuarryCraft's content.</p>
<p>You understand that QuarryCraft does not have control over content that you or other users generate. You are solely responsible for all content that you create and you may be held responsible for the content you share. You agree not to post any content that you did not create, unless you have legally acquired the right to do so in writing. We reserve the right to remove or disable any user generated content, with or without prior notice, when QuarryCraft determines that a user has created content that is offensive, illegal or that is in any way in violation of any of these terms and conditions.</p>	<p>This paragraph is important for the scenario because it explains the limits of what can be in the player's content and what could happen to the content if it breaks the rules.</p> <p>This paragraph also explains that the player is not allowed to post content that contains other people's content unless they have their written permission.</p>
<p><b>COPYRIGHT</b></p> <p>You acknowledge that all of QuarryCraft's content belongs exclusively to QuarryCraft or to its authorized suppliers. Such content is protected by international laws and Canadian copyright laws.</p>	<p>This paragraph provides a third chance for the player to understand that although their own content belongs to them, QuarryCraft's content belongs to QuarryCraft.</p> <p>With this paragraph, the student is meant to understand that there are specific conditions to meet before they could transfer any content.</p>

The scenario feedback points out that terms of use such as the one the student has just reviewed contain important information on issues such as intellectual property and copyright.



## QuarryCraft - Final choice 1 (correct answer)

According to the Terms and Conditions:

- I own my content and I can do whatever I want with it with a few exceptions.
- I can use other people's content in my own if I have their written permission.

Because of that, I'm going to check that I have permission before I transfer my content to the new server.

Why is this answer correct? The QuarryCraft Terms of Use are quite clear on this issue: “You keep ownership rights of all of your content so long as it does not contain substantial code or content owned by QuarryCraft”. If a student reads the document too quickly, they could easily miss this condition. Furthermore if they stop reading here, they might conclude that they can't use other people's content at all, which is not the case.

## QuarryCraft - Final choice 2

According to the Terms and Conditions:

- I can do whatever I want with my own content because I own it.
- I can sell my content to other users.
- I can use other people's content in my own content.

Because of that, I'm going to transfer my content to the new server and sell things I make to other users.

Why is this answer incorrect? While the first point is technically correct, it doesn't take into account the conditions in the terms of use that the player must ask permission if the content they created contains content made by QuarryCraft or by other players. The same goes for selling: to do this they must obtain written permission from QuarryCraft.

## QuarryCraft - Final choice 3

According to the Terms and Conditions:

- I own my content and I can do whatever I want with it.
- I can use other people's content in my own if I have their written permission.
- I can put whatever I want in my content.
- Quarrycraft will keep my content on their server until I decide to remove it.

Because of that, I'm going to transfer my content to the new server.

Why is this answer incorrect? In this case the first two points are correct but the third point contradicts the second and would also violate QuarryCraft's Terms of Use about using QuarryCraft's content in the content you have created. The final point is not mentioned in QuarryCraft's Terms of Use and is there to see if the student paid attention to the overall content of the scenario.

## Second scenario: MySongs

*Who can use my account?*



The second scenario is based on a fictional music store called “MySongs” and is meant to represent the various online stores teens visit. In this scenario, the student is asked to find information in MySongs’ Terms of Use about whether or not they can share their music account with their cousin. The correct answer in the final decision is the one that states that the terms of use do not allow them to share their account with their cousin or create an account for her, but that the player could ask the company for permission.

## Correct paragraphs

From MySongs Terms of Use	Relevance
<p><b>RULES AND PERMISSIONS</b></p> <p>MySongs allows you to store and use the products you have purchased on up to five authorized devices. These products are for personal use only. MySongs grants you permission to share your account with up to four family members through a family account. (You must obtain written permission from MySongs to share your account with someone who is not a family member.) Only one person (the Administrator) can manage a family account. The Administrator is the only person who can add or delete family account members. The Administrator must be 18 years or older. The Administrator must be a parent or legal guardian of family account members who are under 13 years of age. The Administrator is responsible for and assumes all risks relating to any activity in the family account or through the usage of this account. MySongs reserves the right to cancel this agreement and delete the family account according to the terms and conditions of this document.</p>	<p>This paragraph clearly explains how to add family members to an account. The student will have to read it carefully otherwise they may not understand that only an adult can open a family account and that adult can only add their own children.</p>
<p>By accepting these terms and conditions, you agree not to share, copy or sell any part of MySongs' service without written agreement from MySongs, except as described in the current terms and conditions.</p>	<p>This scenario is all about whether someone can share their account, and although this paragraph may seem to be simply about the fact that MySongs does not allow any sharing, it actually also serves to introduce the idea that it is possible to ask permission to the company to do something that is not in its terms and conditions.</p>
<p>You are responsible for keeping your account private and secure, especially your password. You are not allowed to let any other person use your account or share your username and password with anyone else. You are not allowed to use another person's account. You are responsible for anything that is done from your MySongs account.</p>	<p>This paragraph specifically addresses password sharing (which is part of the scenario question).</p>

The scenario feedback points out the important information on rights and responsibilities that can be found in documents like terms of use and the possible consequences for breaking the rules. This scenario also models the idea of seeking recourse by contacting the company to ask for changes to the agreement.

## MySongs - Final choice 1

According to the Terms and Conditions:

- I can create a family account.
- I can add my cousin to my family account.
- I can store my music on up to five devices.

Because of that, I choose to create a family account and add my cousin.

Why is this answer incorrect? A superficial reading of the MySongs' Terms of Use gives the impression that anyone can create a family account and that any member of your family can be added. However, a more careful reading reveals that only adults can create a family account and that they can only add their own children as members. The third point is correct.

## MySongs - Final choice 2 (Correct answer)

According to the Terms and Conditions:

- I can ask for written permission from MySongs to share my music with my cousin.
- I can ask my parents to set up a family account.
- I can't include my cousin in our family account.
- I can't give my cousin my password for my account.

Because of that, I'm not going to share my account with my cousin.

Why is this answer correct? The first point is a bit tricky: it's not mentioned in the MySongs' Terms of Use but it is something that someone could do in any situation. The second point correctly states that parents can set up the family account and the last two points are clear if the student read and understood the following plain text explanation: "Users under 13 can only be part of a family account if they are children of the Administrator."

## MySongs - Final choice 3

According to the Terms and Conditions:

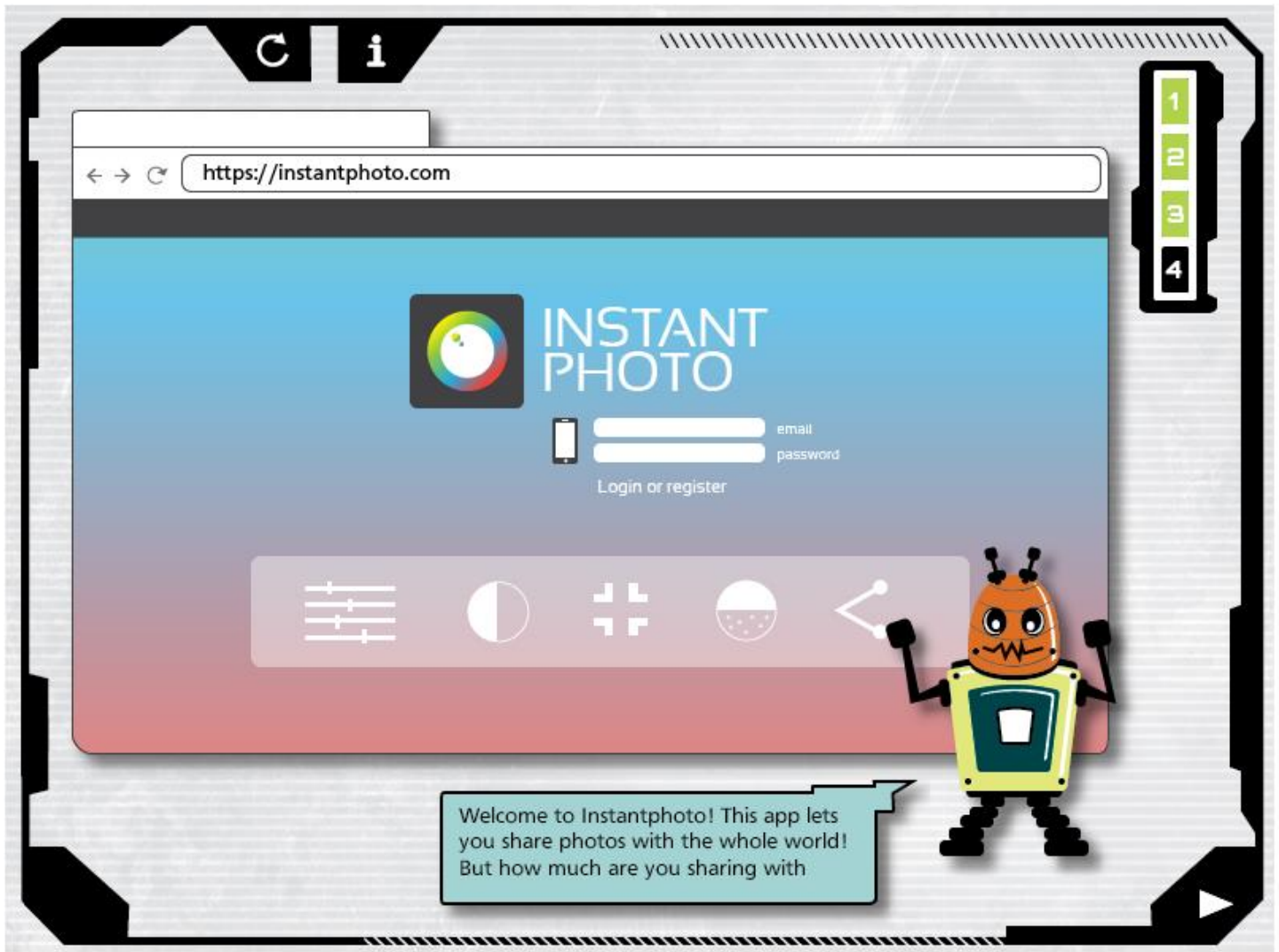
- I can store my music on up to 5 devices.
- I can share my music with up to 4 members of my family if my parents set up a family account.
- I can't give my cousin my password or let her use my account.

Because of that, I'm going to ask my parents to set up a family account and add my cousin.

Why is this answer incorrect? While all the points are technically correct, the final decision -- to ask parents to add a cousin to the family account -- is incorrect, since the policy clearly states that the parent/administrator is only allowed to add their own children to the family account.

## Third scenario: Instantphoto

*What can they do with my content?*



The third scenario is based on a fictional photo app called “Instantphoto” and is meant to help students realize that applications *also* have policy documents that require their attention. In this scenario, the player is asked to look into Instantphoto’s Privacy Policy in order to find out how one of their photos ended up in an online advertisement.

## Correct paragraphs

From the Instantphoto Privacy Policy	Relevance
<p>Personal information you provide to Instantphoto:</p> <p>When you open an account or contact Instantphoto's customer service, you provide your name, address, phone numbers, pictures, email address, age, gender, interests, service preferences and, in some cases, your credit card information. You also provide personal information when, for example, you contact us or other users, when you share pictures, create content, perform a search or make purchases on Instantphoto's website.</p>	<p>This paragraph serves to establish what is considered "personal information" for Instantphoto and how much of it one gives when using the app.</p> <p>Since the scenario is about what companies are allowed to do with our personal information, it's important to understand what is considered personal information in the first place.</p>
<p>Third parties (websites, services, products) Instantphoto may sometimes share personal information with third parties or partners according to:</p> <ul style="list-style-type: none"> <li>the privacy settings that you have chosen;</li> <li>for any reason when we have obtained your consent;</li> <li>to provide our services;</li> <li>when we are required to by government or police;</li> <li>to deliver promotional activities;</li> <li>for third parties to perform certain tasks associated with our service;</li> <li>to help detect and prevent fraudulent or illegal activities;</li> <li>to help our suppliers and financial institutions process payments and perform other financial transactions; and</li> <li>to run satisfaction surveys of our users.</li> </ul> <p>We may sometimes be required by law to share information about you that is described as being private in this policy.</p>	<p>In addition to explaining exactly how, and with whom Instantphoto shares personal information, students who pick up the information about privacy settings in this paragraph will find it easier to choose the final decision for this scenario.</p>
<p>Personal information related to your account will be stored until your account is closed, but we may keep a certain amount of personal information from a closed account in order to obey laws, resolve cases of fraud or to recover expenses.</p> <p>If you decide to delete or close your account,</p>	<p>This paragraph focuses on how personal information is stored (and for how long) and is meant to illustrate the concept of digital permanence as well as to make the point that a company might have to share personal information with authorities in some cases.</p>



we will destroy your personal information (including the content you posted) securely and according to our data storage and deletion regulations. Please note that any information about you that has been shared or created by other users will not be deleted when you close or delete your account.	
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The correct final decision involves the student recognizing that although they can set privacy settings to limit the amount of personal information that is being collected and shared, they cannot prevent all of their private information from being shared or erase all of their private information from Instantphoto.

The scenario's feedback discusses questions of privacy and intellectual property. The key message in this scenario is that while you can manage your privacy online using privacy settings, the only way to take full control is to think carefully about what you post online in the first place.

## Instantphoto - Final choice 1

According to the Privacy Policy:

- I can't keep Instantphoto from collecting my personal info when I create and use my account.
- I can set my privacy settings to keep my personal info (like pictures) from being shared with other companies.
- I can give consent to Instantphoto to use and share specific pics that I choose.

Because of that, I'm going to decide for each picture whether to let Instantphoto use it or not.

Why is this answer incorrect? A careful reading of the privacy policy reveals that a user can set privacy settings to prevent some of their personal information from being shared so the first point is not quite correct. The second point is also only partially true. While the third point is correct, the final decision implies that the user will have full control of their photos, which is incorrect.

## Instantphoto - Final choice 2

According to the Privacy Policy:

- I can set privacy settings to prevent Instantphoto from sharing my personal info (like pictures) with anyone
- I can set privacy settings to prevent Instantphoto from collecting some of my personal info
- I can erase all my info from Instantphoto if I delete or close my account.

Because of that, I'm going to set my privacy settings to keep my personal info (like pictures) from being shared with anyone.

Why is this answer incorrect? It is very clear from the privacy policy that Instantphoto's privacy settings only allow the user to prevent some of their personal information from being shared. The policy also clearly states that "...we may keep a certain amount of personal information from a closed account..." for a variety of reasons, making the third point incorrect as well.

## Instantphoto - Final choice 3 (Correct answer)

According to the Privacy Policy:

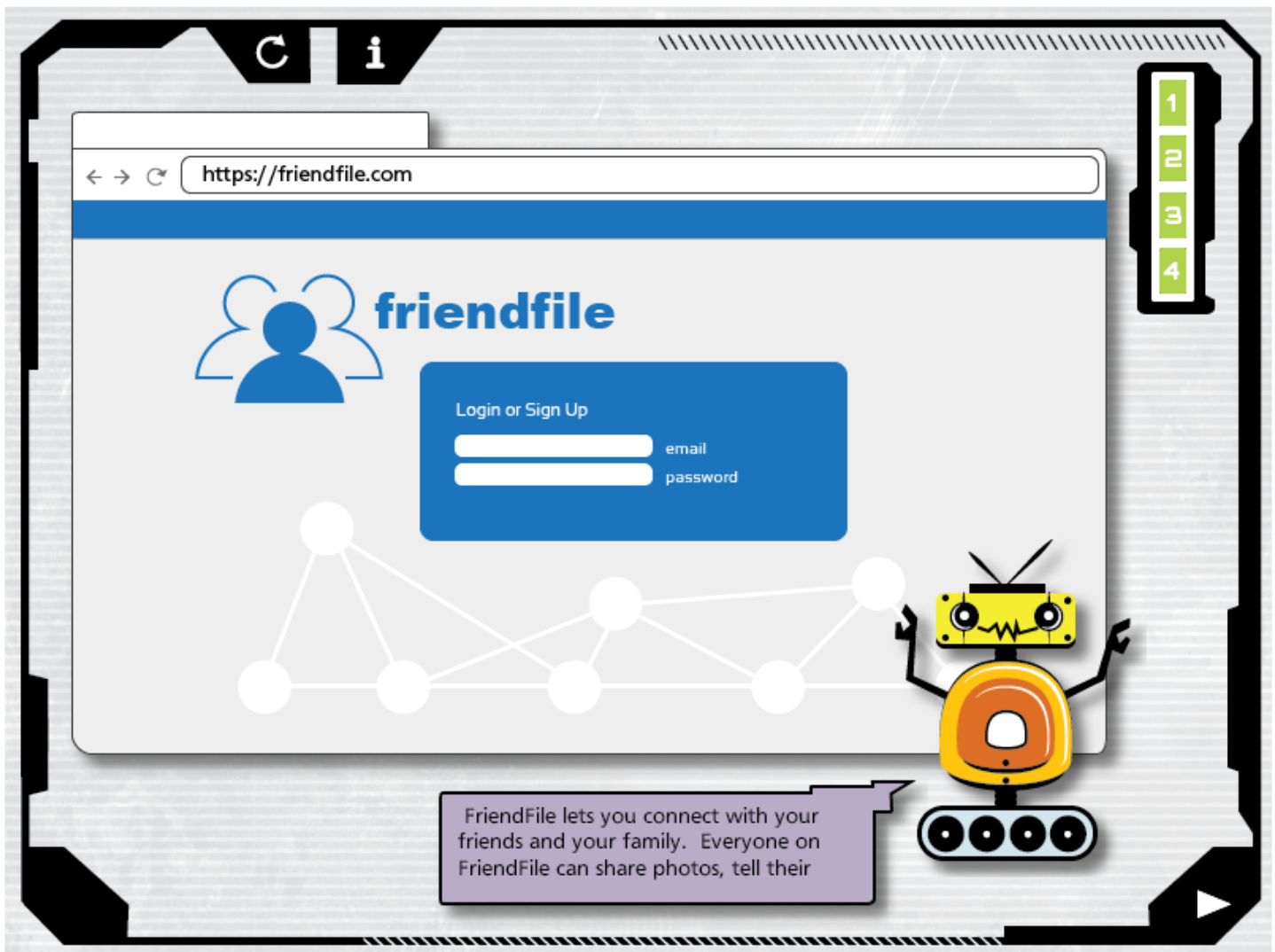
- I can set privacy settings to prevent some of my personal info (like pictures) from being shared with other companies.
- I can erase most of my info if I delete or close my account.
- I can't completely keep my data from being shared with other companies.

Because of that, I'm going to set my privacy settings to keep some of my personal info (like pictures) from being shared with other companies.

Why is this answer correct? Each point correctly states that the user can only partially control who sees their information, how it is shared and what gets deleted. The final decision reflects that reality.

## Fourth scenario: FriendFile

*What do they know about me?*



The fourth and final scenario is based on a fictional social media site called “FriendFile”. In this scenario, players analyze FriendFile’s Privacy Policy in order to determine what kind of data about them is being collected and how it’s being shared and used after they and their friends start receiving some very customized content recommendations.

## Correct paragraphs

From FriendFile's Privacy Policy	Relevance
<p>Information we collect</p> <p>When you use FriendFile's services, we automatically collect the following information: your IP address, the details of your Internet provider, the operating system of your device, the manufacturer and version of your browser, the language in which your system is set up, the time and date of your visits, the time you spend on a page, the address of the website or the application that sent you to our website, your browsing history, the information stored in cookies from your browser, and your username and password. If you use a smartphone we also collect your phone number, your mobile device's serial number, the time and date of calls, your mobile operator, geolocation-based data and the connection type.</p>	<p>The core idea of this scenario is that companies collect personal information AND personal data (for example, data about what their users click on).</p>
<p>COOKIE FILES ("COOKIES ")</p> <p>The FriendFile site uses Web beacons, cookies and Web bugs to recognize your browser or device. These technologies also allow us to collect information on your behaviour (for example, the links you click or pages you visit), to offer personalized services such as personalized ads, and to collect data in order to improve our services, and analyze trends. However, through the privacy settings of your browser, you can control whether or not your device accepts cookies. To do this, please see the browser manufacturer's website or the browser Help files.</p>	<p>Since a major goal of this scenario is to find out if it is possible to prevent FriendFile from collecting personal data, students need to review this paragraph that explains <i>how</i> their personal data is being collected in order to be able to make a good decision at the end of the scenario.</p>
<p>HOW WE USE THE INFORMATION</p> <p>The information FriendFile collects helps us to: show you customized ads; inform you about our newest products, services and events; suggest services or content; ensure the quality of our products and services; provide more relevant search results; verify your identity; protect your account; tackle fraud; investigate illegal activities; and prevent losses.</p>	<p>One part of the answer to the scenario question is finding out what information FriendFile collects and another part of the question is finding out what they do with your personal data. This paragraph answers the second part of the question.</p>

The correct final decision is the one where students recognize that they can opt out of some tracking technologies such as "cookies" to limit the amount of personal information that is being collected, and minimize recommended content that would be very personal. The students also

recognize that they cannot completely keep from being tracked online, but they do have some control over it.

## FriendFile - Final choice 1 (Correct answer)

According to the Privacy Policy:

- I can limit how much stuff I see that's been chosen for me using my data.
- I can set privacy settings in my browser to opt out of using tracking "Cookies".
- I can't prevent FriendFile from using other tracking technology.

Because of that, I'm going to set privacy settings in my browser so they can't use tracking "Cookies" and limit what they show me.

Why is the answer correct? The trick here is for the student to understand that they can limit but not completely prevent being tracked and having some data collected when they are on FriendFile. This information comes from several mentions in the plain language explanations and in one of the policy paragraphs that they could use privacy settings to do this.

## FriendFile - Final choice 2

According to the Privacy Policy:

- I can set privacy settings in my browser to opt out of using tracking "Cookies".
- I can keep FriendFile from sending me stuff that's been chosen for me using my data.
- I can't keep FriendFile from collecting any data about me.

Because of that, I'm going to set privacy settings in my browser so they can't use tracking "Cookies" and FriendFile doesn't collect any of my data.

Why is this answer incorrect? While the first point is correct, the second implies that you can prevent FriendFile from sending any customized content instead of only some. The final point is also incorrect as the plain language explanations clearly state that you can adjust privacy settings to prevent some data collection.

## FriendFile - Final choice 3

According to the Privacy Policy:

- I can't stop sites like FriendFile from using tracking "Cookies"
- I can't prevent FriendFile from using other tracking technology.

Because of that, I'm going to leave my privacy settings the way they are.

Why is this answer incorrect? All the choices in this answer imply that there is nothing the user can do to prevent being tracked, which is incorrect: both the privacy policy and the plain language versions of the correct paragraphs clearly state that you can prevent some tracking by using privacy settings in your browser.



# Curricular Fits

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*Click if You Agree* is an interdisciplinary educational game that can be used to enhance:

- critical thinking and problem solving
- reading skills
- personal development
- ethical development
- technological competence and digital literacy

*Click if You Agree* was designed to be used as an educational resource for the following subject areas:

- English Language Arts
- Social Sciences
- Information and Communication Technology
- Civics
- Law
- Business

To find out how *Click if You Agree* meets specific curricular requirements for your grade, subject and province/territory, see <http://mediasmarts.ca/teacher-resources/digital-and-media-literacy-outcomes-province-territory>.

# Learning Outcomes and Expectations

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In the course of this game, students will:

- become aware of how and why websites and apps collect personal information;
- begin to develop an understanding of the terms, the conditions, and the commercial and data practices they consent to when they agree to the policies of the websites and applications they use;
- develop and acquire strategies for understanding the language and structure of privacy policies and terms of use, especially relating to finding relevant information without having to read the entire document or become a legal expert;
- recognize and identify their rights and responsibilities and those of the company behind the policy documents;
- identify the main concepts that underlie privacy policies and terms of use;
- begin to develop an understanding of their power, as consumers, to find recourse when they feel their rights have been violated; and
- begin to develop an understanding of the commercial nature of the Internet.

## Suggestions for Playing the Game

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*Click if You Agree* includes audio with all of the game's text to accommodate different reading abilities. While the game can be played as a stand-alone activity, students will benefit from having a teacher or parent to help answer questions about some of the more difficult concepts and vocabulary found in the policies. Here are some suggestions before you start:

- sit with the student while they go through the game
- print and distribute the student handout *5 tips to help you understand difficult texts* and the glossary for students to have on hand while they play the game
- have a parent volunteer sit with a student while he or she goes through the game
- encourage students to play through the scenarios more than once to discover different feedback and to obtain a higher ranking
- have pairs of students play the game and compare and discuss the scenario solution they chose
- use a projector or whiteboard and navigate through the game with the whole class

## Activity: What data does your favourite website collect?

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Using the handout *Good questions to ask before you click “I Agree”*, go to your favourite website and answer the following questions on a separate piece of paper:

1. Do they clearly explain what the main purpose is of their privacy policy or terms of use? If they do, what do they say?
2. Do they tell you what data they collect (either from what you share with them or from tracking what you do)? If they do, what do they collect?
3. Do they explain how any personal information they collect will be used? If they do, how do they use it?
4. Do they explain if they share your personal information with others? Who do they share it with?
5. Do they explain how their site uses cookies and other tracking technologies to track you? If they do, how do they do this?
6. Do they explain what they do with your information when they no longer need it, or if you want to close your account? If they do, what do they say?
7. Do they explain what recourse you have if you have a complaint? If they do, what is it?
8. Do they explain how they protect your information from being seen by people who shouldn't see it, whether it stays with them or when it is shared with another company? If they do, how do they do this?
9. Do they identify the person or people responsible for the policy and tell you how to contact them? If they do, what information do they give?
10. Do they explain how you will be notified if their terms or policies change? Are you given enough time to find out what is being changed and discuss this with other users before deciding whether to continue to use the service under the new terms? If they do, how is this done?

**Red flags:** If the answer to any of the questions above is “No, they don’t”, you should think twice about clicking “I Agree” until you can find out why. Ask a teacher, a parent, or the company itself to help you get an answer; then you can truly decide if you “agree”!

# Handouts for Parents and Teachers

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## Recognizing Best and Worst Practices for Privacy Policies and Terms of Use

The Internet has become a part of the daily lives of nearly everyone today—including children. According to MediaSmarts' 2014 study *Young Canadians in a Wired World*, 99 percent of Canadian children and teens have access to the Internet outside of school, and younger children are participating fully in the online world (close to a third of students in grades 4-6 have Facebook accounts, even though users under age 13 are not allowed to register on the site)<sup>1</sup>. Additionally, most of their online experiences occur in commercial spaces: only one of the 10 most popular websites for Canadian children in 2013 — Wikipedia — was not commercial in nature.

Websites and applications usually have a privacy policy and terms of use that visitors must agree to in order to use them. These documents are extremely important because they stipulate our rights, our responsibilities and our liabilities when using these sites and the quantity and quality of our personal data that is collected and shared.

Most of us — adults and youth — don't read these documents<sup>2</sup>, probably because it takes about 76 days to read the privacy policies of all the websites that we visit in a year, let alone the terms of use.<sup>3</sup> While there is no clear data on how many youth read the privacy policies and terms of use of their favourite websites, it is unlikely to be more than the 16 percent of adults who do<sup>4</sup>.

While it is true that privacy policies and terms of use policies can be very long and difficult to read, the good news is that many of the sites popular with children, such as YouTube and Minecraft, have policy documents that are written and organised in a much more reader-friendly way. With some guidance, children and teens can explore these policies and find the information that is relevant to their activities, to their safety and to their privacy, in order to build the skills and confidence they need to find similar key information in more complicated documents.

The major objectives of *Click if You Agree* are to help youth between the ages of 12 and 14 develop their skills in analysing and understanding parts of policy documents and to build their confidence and motivation in applying these skills to their daily online activities. This is a pivotal age for this kind of instruction, for these young teens who are starting to navigate online spaces more independently and are increasingly able to legally use many popular sites and apps without parental consent.<sup>5</sup>

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<sup>1</sup> Unless stated otherwise, all statistics in this guide are taken from MediaSmarts' 2013 survey, *Young Canadians in a Wired World*. This national study surveyed over 5,400 students in grades 4 to 11, in French and English language schools in each province and territory. The full text of MediaSmarts' research can be accessed on the MediaSmarts website at: <http://mediasmarts.ca/research-policy>

<sup>2</sup> Internet Society, *Global Internet User Survey 2012*, 2012, <https://www.internetsociety.org/internet/global-internet-user-survey-2012>

<sup>3</sup> Madrigal, Alexis C., *Reading the Privacy Policies You Encounter in a Year Would Take 76 Work Days*, The Atlantic, March 1<sup>st</sup>, 2012, <http://www.theatlantic.com/technology/archive/2012/03/reading-the-privacy-policies-you-encounter-in-a-year-would-take-76-work-days/253851/>

<sup>4</sup> Internet Society, *Global Internet User Survey 2012*, 2012, <https://www.internetsociety.org/internet/global-internet-user-survey-2012>

<sup>5</sup> MediaSmarts, *Life Online*, *Young Canadians in a Wired World Phase III*, 2014, [http://mediasmarts.ca/sites/mediasmarts/files/pdfs/publication-report/full/YCWWIII\\_Life\\_Online\\_FullReport\\_2.pdf](http://mediasmarts.ca/sites/mediasmarts/files/pdfs/publication-report/full/YCWWIII_Life_Online_FullReport_2.pdf)

In *Click if You Agree*, an important mechanic of the game is to select three keywords to load into a special scanner that helps the player find and understand information from privacy policies and terms of use. These keywords are:

- Property
- Rights
- Responsibility
- Commercialization
- Law
- Consent
- Account
- Disclosure
- Content
- Security
- Collection
- Technology
- Data
- Changes

Researchers have found that privacy policies and terms of use are hard to understand because the language is complex, and because they are usually very long. Yet, there is consensus that these are important documents, because they lay out rights and responsibilities for all parties, and efforts should be made to make these documents easier to read and understand.

Because it's not realistic to try to read all of every privacy policy or terms of use agreement, it's important to know what to look for. Here are some questions to ask in order to determine how a given policy addresses some of the more important privacy, legal and intellectual property concerns and to determine if it covers all of the elements it should<sup>6,7</sup>:

1. What data will they be collecting about you, based on what you share and on what you do?
2. How do they protect your information whether it stays with them or when it is transferred to a third party?
3. Will they share your data with others? With whom? Do they disclose whether they allow other companies like ad providers and analytics firms to track users on the site?
4. Who owns the content you generate on the site? What rights do you and the site have to it?
5. How long will they keep your personal information? How will they destroy or dispose of your information when they no longer need it?
6. How will they notify you if anything changes in how, when or why it collects information?
7. How will they obtain your consent before or at the time of collection, as well as when a new use arises? Are you notified when terms change? Are you given enough time to find out what changed and discuss this with other users before deciding whether to continue to use the service under the new terms?
8. What recourse do you have if you have a complaint?
9. Where can you sue, or be sued, for breaching of the rules?
10. Once you subscribe to the service, will you have the right to leave it and remove your data?

## References

- Disconnect Me, *Meet the Privacy Icons*, <https://disconnect.me/icons>, Last accessed February 2016.
- Micheti, Anca, Jacquelyn Burkell, and Valerie Steeves. "Fixing broken doors: Strategies for drafting privacy policies young people can understand." *Bulletin of Science, Technology & Society* 30.2 (2010): 130-143.
- Terms of Service; Didn't Read, <https://tosdr.org/>, Last accessed February 2016.

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<sup>6</sup> Most of these questions are adapted from the research project "Terms of Service; Didn't Read (<https://tosdr.org/topics.html>) and the application *Disconnect Me's* privacy icons (<https://disconnect.me/icons>). We recommend giving these two sites a look to discover some of the more specific questions.

# What are your rights about data collection?

To protect people's electronic privacy, Canadian companies are governed by the Personal Information Protection and Electronic Documents Act, commonly called PIPEDA. This legislation, which was enacted in 2000, recognizes the increasing ability of companies to collect and store personal information using technology, while also recognizing that corporations and organizations may need to collect some personal information to support their day-to-day business operations.

This legislation is based, in part, on ten principles that define the responsibility of an organization when it comes to protecting and disclosing personal information, including:

- the need to reveal the purposes for which information is collected;
- the need for getting consent, wherever possible, before collecting or using someone's personal information (you give that consent when you click "I Agree!");
- limiting collected information to only that which is necessary for the stated purposes; and
- the rights of individuals to access or view their personal information.

In 2015 PIPEDA was updated to specify that "the consent of an individual is only valid if it is reasonable to expect that an individual to whom the organization's activities are directed would understand the nature, purpose and consequences of the collection, use or disclosure of the personal information to which they are consenting." In other words: people have to be able to understand what they are agreeing to when they click "I Agree".

So what can you do if you feel a company has not respected your privacy rights or lived up to its responsibilities? A recent discussion paper<sup>8</sup> from the Office of the Privacy Commissioner of Canada (OPC) states that if you ever have reason to believe that an organization covered by PIPEDA is not meeting its responsibilities, you can file a complaint with the OPC.

In most cases, when someone makes a complaint, they want their personal information to be deleted and/or removed from a website. If this is your situation, you need to keep the following in mind:

- As of the writing of this guide (February 2016), there are no laws in Canada that give you the right to be forgotten or to totally erase your data online;
- Complaints can only be made against commercial websites. If this is a personal website, you need to use other strategies such as contacting the owner of the site, contacting the company that hosts the site or contacting the police if there is a case for a criminal complaint;
- The website should be based in Canada, although the OPC has had some success with sites outside of Canada;
- If your personal information is taken down or erased from one website, there is no guarantee that it won't appear elsewhere online.

There are other things you can do besides making a formal complaint to the OPC:

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<sup>8</sup> Office of the Privacy Commissioner of Canada, *Online Reputation - What are they saying about me?*, Discussion Paper prepared by the Policy and Research Group of the Office of the Privacy Commissioner of Canada, January 2016, [https://www.priv.gc.ca/information/research-recherche/2016/or\\_201601\\_e.pdf](https://www.priv.gc.ca/information/research-recherche/2016/or_201601_e.pdf)



- Many commercial websites have policies (like the Terms of Use and the Privacy Policies!) about taking down information. As simple as it sounds, try asking them to take down the personal information you want removed;
- Some companies offer deletion services (sometimes called “reputation management services”) where they will attempt to remove your information from the Internet or make it very difficult to find.

Ultimately, the old saying that “an ounce of prevention is worth a pound of cure” is still appropriate in our digital age: it is much easier (and potentially safer!) to know ahead of time what data is being collected about you, how it is being collected and how it is being used so that you can make better decisions *before* your data is out there online, than it is trying to chase it down and remove it afterwards. However, the reality is that it is not always possible to control your data, so it’s good to know that you have rights you can exercise.

# Handouts for Students

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## Good questions to ask before clicking “I Agree”

Before clicking on that “I Agree” button for privacy policies and terms of use, you should always ask the following questions. It just might spare you a lot of grief and drama down the line!

1. Do they clearly explain the main purpose of this privacy policy or terms of use?	
2. Do they say what data they will be collecting (either from what you share with them or by tracking what you do)?	
3. Do they explain how any personal information they collect will be used?	
4. Do they tell you if they share your personal information with others? Who do they share it with?	
5. Do they explain how the site uses cookies and other tracking technologies to track you?	
6. Do they explain what they do with your information when they no longer need it or if you close your account?	
7. Do they explain what steps you can take if you have a complaint?	
8. Do they explain how they protect your information from being seen by people who shouldn't see it, whether it stays with them or when it is shared with another company?	
9. Do they identify the person or people responsible for the policy and tell you how to contact them? If they do, what information do they give?	
10. Do they explain how you will be notified if their terms or policies change? Are you given enough time to find out what is being changed and discuss this with other users before deciding whether to continue to use the service under the new terms?	

**Red flags:** If the answer to any of these questions is “No, they don’t”, you should think twice about clicking “I Agree” until you can find out why. Ask a teacher, a parent, or the company itself to help you get an answer; then you can truly decide if you “agree”!

NOTE: Also remember to ask yourself “What might be missing from this policy that really should be there in order for me to truly understand what I am agreeing to?”

## 5 tips to help you understand difficult text

We all know that some privacy policies and terms of use can be tricky to understand. These tips will help you navigate through all that legal mumbo-jumbo.

1. Have a clear idea of what you are looking for (for example, do you want to know what personal information is collected about you, or what the copyright is for things you post?). Write it down and keep it close to keep you focused.
2. Scan the policy for titles and headings to get a general idea of how it's organized and the kind of information it contains.
3. Identify any words you don't know that make it difficult or impossible to understand what's being said and look them up online or in a dictionary.
4. Only tackle a chunk of information at a time: write down what you think is the main idea of a paragraph or section and try to connect the ideas when you are finished reading.
5. Don't be afraid to ask a teacher, a parent, a friend or an expert (or even the company who wrote the policy) to help you out!

### Sources:

- Media-Studies.ca, *Some Tips for Reading Difficult or Challenging Material*, [http://media-studies.ca/articles/difficult\\_reading.htm](http://media-studies.ca/articles/difficult_reading.htm)
- Australian National University, *Reading difficult texts*, <https://academicskills.anu.edu.au/resources/handouts/reading-difficult-texts>
- University of Sussex, *Understanding difficult texts*, <http://www.sussex.ac.uk/s3/?id=82>
- Lifehacker, *How to Quickly Read a Terms of Service*, <http://lifehacker.com/5892422/how-to-quickly-read-a-terms-of-service>

# Glossary

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Here are some simplified definitions to help you understand some of the more difficult words you will most likely encounter when you read privacy policies and terms of use. Keep in mind that these words might have other meanings in different contexts so don't be afraid to look them up in a dictionary or consult (legal) experts if you need a more precise definition.

## Proposed terms and phrases:

<b>Affiliate:</b> In these policies an affiliate is usually a company that is part of the same group of companies as the one you are dealing with.
<b>Arbitration:</b> This is a way for you and a company to resolve a disagreement by presenting it to a neutral person or company. <i>Binding</i> arbitration means you <i>must</i> agree to let the neutral person or company resolve the disagreement.
<b>Assignable:</b> In these policies, if something is “assignable” it usually means that it can be given to someone else. Things that can be assigned in these policies include the right to do something (like manage an account) or the ownership of something (like images).
<b>For instance:</b> It's another way of saying “for example”.
<b>Fraudulent:</b> A deal made based on information that one person knows is false is <i>fraudulent</i> . In these policies, the word usually means finding ways to cheat the service, like getting access to things you shouldn't (like someone else's account) or getting things for free.
<b>Geolocation:</b> Geolocation is a way to find out exactly where you are by using technology (like a GPS signal, cell phone signal or even just your Internet connection).
<b>Intellectual Property:</b> Intellectual property is something that someone <i>created</i> that does not necessarily exist physically. Pictures, stories, movies, and music are examples of <i>intellectual property</i> . In Canadian law, you own the <i>copyright</i> to any intellectual property you create unless you agree to sell it or give it away.
<b>Legislation:</b> This can either mean a specific law or all the laws of a country depending on the context.
<b>Liability:</b> This is another way to say “responsibility”. It's usually found in paragraphs explaining who will be responsible if something happens or who is responsible for different parts of the service.
<b>Non-exclusive:</b> In these policies, <i>exclusive</i> means only one person has it. <i>Non-exclusive</i> means something is available to more than one person or one group.
<b>Opt-out:</b> This means to choose to <i>not</i> be part of something or not participate in something.
<b>Perpetual:</b> This is another way to say “forever”.
<b>Regulation:</b> A regulation is a specific rule or law.
<b>Revoke:</b> This is another way to say “to cancel” or “to take back”.
<b>Royalty-free:</b> When something is “royalty-free” it means that whoever created that thing will not receive any payments for it when somebody else uses it. That does <i>not</i> mean that it's free,

only that (if there is a cost) you only have to pay once.
<b>Solely:</b> This is another way to say “only” as in “nothing or nobody else involved”.
<b>Sub-licensable:</b> A “license” is a permission that can be given to someone to do something (like selling images someone else made). When something is “sub-licensable” it means that the person who received the permission can also give (or <i>assign</i> ) it to someone else.
<b>Term:</b> Term is another word for... “word”. However, terms are usually words that have specific meanings and are often used in particular contexts (like “legal terms”).
<b>Third party:</b> You can think of a “third party” as someone else (other than yourself or the company who wrote the policy). A third party could be another person or another company.
<b>To waive:</b> When you <i>waive</i> a right it means you are giving it up (like the right to sue) by agreeing never to do it. A document that you sign to waive a right is called a <i>waiver</i> (see below).
<b>Trademark:</b> A trademark is usually a word (like the word “Lego”) or an image (like the apple logo for the company Apple) that identifies (and belongs to) a company or a product. No one else is allowed to use a company’s trademark without permission. A trademark is a kind of <i>intellectual property</i> (copyrights and patents are the two other main types.)
<b>Violation:</b> Basically, this means breaking a rule (or many rules!).
<b>Waiver:</b> A waiver is a legal document that says you are giving up one or more rights if you sign it.

# Additional Resources

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## MediaSmarts lessons

### Playing With Privacy

In this lesson, students are introduced to the idea that their gaming experiences may compromise their personal information. Students consider the ways in which games may gather or solicit information about them and learn about tools which they can use to control their personal privacy, and then discuss the trade-offs between protecting their privacy and enjoying a full game experience.

[http://mediasmarts.ca/sites/mediasmarts/files/lesson-plans/lesson\\_playing\\_with\\_privacy.pdf](http://mediasmarts.ca/sites/mediasmarts/files/lesson-plans/lesson_playing_with_privacy.pdf)

### Privacy and Internet Life: Lesson Plan for Intermediate Classrooms

This lesson makes students aware of online privacy issues, primarily those relating to giving out personal information on social networking websites such as Facebook. Students will learn to assess the various types of information they provide in Facebook profiles, along with the different levels of access. They will examine the potential risks and consequences of posting personal information on the Internet, and become more aware of how to protect their privacy.

[http://mediasmarts.ca/sites/mediasmarts/files/lesson-plans/lesson\\_privacy\\_internet\\_life.pdf](http://mediasmarts.ca/sites/mediasmarts/files/lesson-plans/lesson_privacy_internet_life.pdf)

### Who Knows? Your Privacy in the Information Age

In this lesson, Students explore issues relating to privacy through a series of activities, surveys and quizzes. Students assess how much personal information has been collected about them, determine what information is necessary to collect, and where collection of personal information becomes invasive.

[http://mediasmarts.ca/sites/mediasmarts/files/lesson-plans/lesson\\_who\\_knows\\_your\\_privacy\\_information\\_age.pdf](http://mediasmarts.ca/sites/mediasmarts/files/lesson-plans/lesson_who_knows_your_privacy_information_age.pdf)

## MediaSmarts Resources

### Protecting Your Privacy on Commercial Websites - Tip Sheet

<http://mediasmarts.ca/tipsheet/protecting-your-privacy-commercial-websites-tip-sheet>

### Canadian legislation surrounding privacy issues

<http://mediasmarts.ca/digital-media-literacy/digital-issues/privacy/legislation>

## Related Resources

The Office of the Privacy Commissioner of Canada has an excellent lesson plan for kids in grades 7 and 8 titled *Kids' Privacy Sweep*, where kids analyze their favourite websites and applications to find out what kind of information they collect.

[https://www.priv.gc.ca/youth-jeunes/fs-fi/yth\\_lesson\\_e.asp](https://www.priv.gc.ca/youth-jeunes/fs-fi/yth_lesson_e.asp)

The Office of the Privacy Commissioner of Canada has produced a fact sheet to help kids understand how their personal data is being collected online entitled *What kind of information is being collected about me when I'm online?*

[https://www.priv.gc.ca/youth-jeunes/fs-fi/choice-choix\\_e.asp](https://www.priv.gc.ca/youth-jeunes/fs-fi/choice-choix_e.asp)



*Disconnect.me* is a public benefit corporation that has created several privacy products and in particular, they have created privacy icons to help make privacy policies less complicated:

<https://disconnect.me/icons>

A project called *Terms of Service; Didn't Read* provides a good analysis of terms of use documents, especially in terms of asking good questions about the most common elements of such policies. <https://tosdr.org/topics.html#topics>