

# Back to School Special: Is My Multi-Age Platform Subject to Child Protection Requirements?

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In our online world, one of the challenges (and opportunities) for companies is the increased use of their websites, apps, and connected devices. For platforms directed to both adults and children, or platforms previously directed to adults which would like to now also direct their services to children, [the FTC's recently streamlined FAQs](#), and [ICPEN's guide](#) (both of which [we introduced earlier this week](#)) can help companies in this space. The information is particularly helpful for those that were aimed mostly toward adults, and are now shifting their business plans to direct products or services to children as well.

First, an important reminder from both the FTC and ICPEN is that “online” privacy considerations for children do not just apply to websites, but apply to all connected services, including smart toys and applications. Second, we turn to examining if the platform is subject to COPPA or other child protection considerations. Platforms are subject to COPPA if they are “directed to children.” The FTC’s FAQs lay out factors from [the COPPA Rule](#) that the FTC will examine, including the age of people who appear on the site, the language used on the site, music or other content, and more. (FAQ D(1)). ICPEN uses similar factors, including the nature of the marketing content, the placement of the marketing and the audience and the use and appeal of the product or service.

For platforms that have both adults and children visitors, the question is thus whether or not it is directed to children. It is not, according to the FTC, just because some children happen to visit. That is a general audience platform, and the FTC’s perspective is that COPPA would not apply unless the company has actual knowledge of the child’s age. (FAQ H(1)). On the other hand, “mixed audience” sites are those that, for example, have both adults and children and one of the “intended audiences” are children. (FAQ D(3)). These mixed audience websites, the FTC makes clear, are still subject to COPPA. As such, requirements like obtaining prior parental consent (unless an exception exists), having appropriate notices, and the like, will apply.

**Putting it into Practice: Looking to expand your website, app, or connected service into the youth market? Hosting a general audience platform where children might visit? The recently streamlined FTC FAQs as well as the ICPEN guides can help.**

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