MUSIC TEACHERS NATIONAL ASSOCIATION

MTNA Affiliate Guide to Collection of Information for Program Participants Under the Age of 13

Music Teachers National Association is committed to fostering educational environments that are safe, respectful, and protective of all students. That commitment extends beyond physical safety to include the responsible collection, use, and protection of children's personal information. As music teachers and event administrators, we have both an ethical and legal responsibility to safeguard the privacy of the young musicians entrusted to our care.

To assist MTNA-affiliated state and local associations, this guide outlines recommended practices for collecting information from participants under the age of 13 in a manner consistent with the Children's Online Privacy Protection Act (COPPA) and MTNA's Student Event Privacy Policy, which provides that:

- MTNA and its affiliates collect only the information reasonably necessary to administer student events, use that information solely for event administration and related purposes, and do not sell or use student information for unrelated marketing.
- Parents or legal guardians must complete or approve registration forms for participants under age 13 and consent to the collection and use of their child's information before it is submitted.
- Student information should be shared only with individuals directly involved in administering the event, retained only as long as necessary for legitimate event administration and recordkeeping, and parents should be provided the opportunity to access, correct, or request deletion of their child's information.

The recommendations that follow are intended to help affiliates minimize the collection of personal information while ensuring that parents remain informed and involved in the registration process. By incorporating simple practices—such as requiring parental review and consent before submitting registrations, limiting data collection to only what is necessary, and requesting a student's age rather than birthdate whenever possible—affiliates can strengthen privacy protections while providing exceptional educational opportunities for young musicians.

I. Teacher-completed entry forms

As a general rule, it would not be considered compliant for teachers to independently complete and submit entry forms for students under age 13 without parental involvement. Even if the teacher is entering the information, the data being collected is still personal information about a child, which is what triggers COPPA. The law requires:

- Notice to parents, and
- **Verifiable parental consent** before collecting that information online

A possible solution would be to allow teachers to assist with or pre-fill portions of the form, particularly technical fields (repertoire, timing, etc.) but the form should require parent/legal guardian review and consent before submission. This could be accomplished by including a representation at the end of the document stating "I am the parent or legal guardian of the student or have obtained consent from the student's parent or legal guardian to disclose all information provided in this application.

While COPPA's specific legal requirements apply to online collection of information, MTNA recommends that affiliates apply the same parent-consent practices to paper registration forms. Most paper registrations are eventually entered into electronic systems, and even where they are not, parental consent reflects best practice, ethical obligation, and the requirements of various state privacy laws. A paper form with a parent signature line at the bottom—using the same attestation language recommended above—accomplishes this easily.

II. What teachers can vs. should not enter

Teachers can safely enter:

- Repertoire and composer information
- Timing
- Instrument
- Event/division details
- Teacher information

Parent/guardian should provide or approve:

- Student name
- Student contact information (if collected)
- Parent contact information
- Consent forms (liability, media, etc.)
- Privacy/COPPA acknowledgment

III. Birthdate vs. age

It is a good idea to not collect birthdates unless necessary. A birthdate is considered personal information and increases both compliance obligations and risk exposure. MTNA recommends using "Age as of [specific date]" or having age category/divisions. Using age as of a certain day is entirely appropriate and preferred from a compliance standpoint. It satisfies eligibility needs while minimizing data collection. This aligns with the general principle of data minimization and only collecting what is necessary.

IV. Multi-year Recognition Programs

For multi-year recognition programs (such as consecutive-year participation awards), affiliates should retain only the information needed to administer the recognition itself: student name, year(s) of participation, division or program, and award earned. Information collected for event administration — including contact information, birthdates, school

information, and health or emergency details — should be destroyed once it is no longer needed for the current event cycle and any applicable retention period has passed (typically 3 years for general event records). Maintaining separate "active event" and "permanent recognition" records makes this distinction easier to administer and easier to respond to parent requests for deletion.

What affiliates can reasonably keep indefinitely as part of the historical recognition record:

- Student's name (as it should appear on certificates, trophies, and recognition announcements)
- Year(s) of participation
- Program, division, or category participated in
- Award, level, or recognition earned that year
- Teacher's name (for historical record — teachers are usually adults and not covered by COPPA anyway)

What should be deleted or destroyed when no longer needed:

- Date of birth or age (once the student has aged out of the program or the event is complete — birth year alone, if needed for "graduating senior" recognition, is much lower-risk than full DOB)
- Parent/guardian contact information (email, phone, address) — once the family is no longer actively participating, or after a reasonable inactivity period
- Student contact information, if collected
- Student's school name (rarely needed long-term)
- Home address
- Emergency contact information
- Health or medical disclosures
- Photos and videos (subject to consent terms — see below)
- Repertoire performed in past years (usually not needed unless the affiliate publishes historical programs)
- Payment information
- Any liability waivers or consent forms once the related activity is complete and the relevant retention period has passed (typically 3-7 years depending on state statute of limitations for personal injury claims affecting minors)

A practical retention model affiliates can adopt:

The cleanest approach is to maintain **two separate records**:

1. **An active participation file** for each year's event, containing all the administrative information needed to run that event (contact info, registrations, repertoire, schedules, etc.). This file is retained for a defined period after the event — say, 3 years — and then destroyed.
2. **A permanent recognition record** containing only name, year(s), program/division, and award earned. This is the file that supports the multi-

year trophy program. Because it contains minimal personal information and serves a defined historical/recognition purpose, it can be retained indefinitely.

This separation also makes it much easier to respond to parent deletion requests: a parent can request deletion of active records while the historical recognition record (if they wish to maintain their child's eligibility for multi-year awards) continues — or they can request deletion of both, accepting that their child won't be tracked for future multi-year recognition.

Photos:
Photos are a special case. If photos were collected with consent for a specific event, that consent generally doesn't extend indefinitely. Best practice is to retain photos only as long as the original consent contemplated (often "for use in connection with this event and the affiliate's promotional materials for [period]"). Photos used on websites or social media should be reviewable and removable on request. Avoid keeping a permanent visual archive of every minor who ever participated unless you have ongoing affirmative consent.

V. Implementation

MTNA and its affiliates can address this by:

- Adding a parent confirmation step
- Including a clear statement that parents must complete or approve submissions for children under 13, and
- Establishing an event records retention policy

VI. Further Guidance

- Federal Trade Commission Children's Online Privacy Protection FAQs and General Guidance