

# Telephone Consumer Protection Act (TCPA)

What K-12 Schools Need to Know



School administrators across the United States understand the importance of parent communication. Study after study proves an increase in parent communication and engagement helps *boost* student achievement.

Using an automated notification system, such as Alert Solutions, is the most efficient way to communicate with parents, especially with the expansion of digital communication channels such as email, voice, SMS text and social media.

But with recent updates to the **Telephone Consumer Protection Act (TCPA)**, Alert Solutions wants to ensure K-12 schools stay [well-informed of regulatory requirements](#) imposed by the FCC so they can continue reaching out to parents and guardians in the most compliant manner.

## ➔ What is the Telephone Consumer Protection Act (TCPA)?

The United States Federal Communications Commission (FCC) implemented the TCPA to prohibit calls made to telephone numbers using (i) automatic telephone dialing systems, or (ii) artificial or prerecorded voices without receiving prior consent from the called party. **The FCC considers a text to be a call.**

## ➔ What changes were made?

In the summer of 2015, the FCC issued a Declaratory Ruling and Order related to the TCPA. In the Ruling, the FCC stated the following regulations will now apply to educational organizations including k-12 schools:

- Consent is required from the “called party” (parent or guardian) assigned to the telephone number dialed and billed for the call.
- Called parties must be able to revoke consent at any time (opt-out) and the sender of the message (K-12 school or district) must be able to show proof of the consent.
- Consent is not required for voice calls and SMS messages for “emergency purposes”.
  - **2016 Clarification:** “Emergency purposes” include calls or messages relating to weather closures, incidents of threats or violence to the school due to fire, dangerous persons, health risks and unexcused absences.

## FAST FACTS!

- *TCPA prohibits automated calls and texts made to telephone numbers without prior consent.*
- *In mid-2015, FCC issued a Declaratory Ruling and Order applying TCPA regulations to K-12 schools.*
- *Voice and texts sent for “emergency purposes” are exempt.*



This information is intended purely as a resource and should not be substituted for professional legal advice. You are ultimately responsible for the compliance of message content sent through any notification system.

## ➔ What do these changes mean for my school?

For schools and districts using an automated notification system, this means ensuring a process for obtaining consent, managing opt-outs and carefully considering what is and is not an emergency alert. Here are some suggestions:

### Tag Messages by Category



Alert Solutions enables its customers to tag every scheduled broadcast with a message category, including 'emergency'. Clearly indicate to staff members what types of communications warrant this category (school closure notifications, etc.).

**Best Practice:** Match your message to the correct notification channel. For example, urgent alerts are best suited for voice or text while informative content can be sent by email.

### Use a Parent Portal



K-12 schools should provide parents and guardians with an online tool to manage their communication preferences. Alert Solutions encourages the use of our Parent Portal features throughout the school year. For example, our [PowerSchool Parent Portal Integration](#) or the [Parent Dashboard](#) allows parents to set their preferences by message category and communication channel.

### Make Sure You Manage Opt-Outs



Alert Solutions maintains do-not-contact lists for all communication channels providing options to be opted-out of receiving messages. This will immediately block contact numbers upon recipient request.

## ➔ What are the potential consequences for non-compliance?

TCPA violations could result in fines from the FCC of between \$500-\$1,500 for each unsolicited call or message. The amount of the fine is ultimately determined by a court evaluating if the organization that sent the message was knowingly violating the law.

## Contact us for more information.

To learn more about how Alert Solutions helps K-12 schools comply with the new TCPA regulations, contact us at (800) 929-1643 or via email at [info@alertsolutions.com](mailto:info@alertsolutions.com).



### Did You Know?

Alert Solutions has a [Communication Resource Center](#) that includes best practices, tips, tricks and popular strategies. Check it out!

(800) 929-1643

[info@alertsolutions.com](mailto:info@alertsolutions.com)

[www.alertsolutions.com/education](http://www.alertsolutions.com/education)

