SUNY SCHENECTADY
COUNTY COMMUNITY COLLEGE

Facilities - Technology

Board of Trustees Policy

SUBJECT: SMS (Short Message Service) Terms and Conditions Policy	NUMBER: **5.11**
	DATE: **March 17, 2025** **Resolution #25-30**
	SUPERSEDES: **None – New Policy**

This policy document directly relates to the SMS (Short Message Service) Terms and Conditions Policy, of the SUNY Schenectady Board of Trustees, as hereto attached.

BACKGROUND INFORMATION

Meeting regulatory requirements and maintaining best practices to support customer relationships are critical when using SMS for mass communication. The Federal Communications Commission is the regulatory body responsible for the enforcement of the U.S. Telephone Consumer Protection Act of 1991 (TCPA), which includes strict requirements for sending SMS marketing messages.

Additionally, industry guidelines, such as the Mobile Marketing Association's Consumer Best Practices for Messaging and the wireless industry association CTIA's Short Code Monitoring Program should be given consideration when implementing SMS campaigns and activities, as it monitors mass texting behavior.

Under the TCPA, and other regulations, a business must provide clear and conspicuous information about its practices and get the recipient's express written consent to receive text messages before sending an automated message. Businesses should check for the legal age of consent based on where the recipient is located. If a business is using a purchased phone list, consent and opt-out requirements still apply.

PURPOSE

SUNY Schenectady County Community College ("SUNY Schenectady") offers SMS (Short Message Service) notifications to students, faculty, staff, and other stakeholders who opt in. These messages may include important campus visit/tour/orientation details, academic reminders, event notifications, admissions status and enrollment information, athletics recruiting, appointment reminders, order alerts, account notifications, and other college-related communications.

Text messages should only be sent during designated business hours (between 8:00am ET and 8:30pm ET Monday-Friday) and exclude Federal and State holidays. Text messages should not be used to send non-essential general information or personal matters.

DEFINITIONS

- **SMS (Short Message Service):** A text messaging service that allows the College to send notifications to users who opt in.
- **Opt-In:** The process by which users voluntarily subscribe to receive SMS messages from the College.
- **Opt-Out:** The process by which users can unsubscribe from receiving SMS messages by replying "STOP."
- **Authorized Text Messaging Representatives:** College personnel who have been approved to send SMS messages on behalf of SUNY Schenectady.
- **Emergency Notifications:** Urgent alerts related to campus safety, severe weather, or other emergency situations.

AUTHORIZED USE & CONTENT GUIDLINES

Text messaging will occur through approved software platforms; faculty and staff should use these systems rather than their personal cell phone devices.

Authorized text messaging representatives of the College must abide by all other policies regarding content, as well as ensure the following:

- All messages must be tagged with the appropriate identifier, or the College name included in the text so recipients can immediately recognize who the Sender is.
- Content is accurate.
- Wording is succinct and appropriate.
- Tone is casual but professional and ends with a question when a response is desired.
- List of recipients is correct.
- Information within the message is directly related to the recipient and/or their studies.
- Message clearly states the action that the recipient needs to take or how the information impacts the recipient and who to contact for additional information.
- Number of messages received by a recipient should be appropriate to ensure they will continue to regard the text messages as important information.
- Messages are sent with adequate time for the action or activity.
- Text messaging should not be used as the sole means of communicating an essential message or announcement. The text message should be supplemented by other means of communication, such as an email, website, or paper notice, to ensure that all recipients, including those who have not opted-in, receive the message.

This policy is intended to enhance communication efforts and is for non-emergency use. Emergency text messages are sent by designated individuals using the EverBridge platform. Please contact the Associate Vice President of Campus Safety with any questions regarding SUNY Schenectady's emergency notification guidelines.

CONSENT & OPT-IN

By providing your mobile phone number and opting in, you consent to receive SMS messages from SUNY Schenectady. You acknowledge that message frequency may vary based on campus activities and communications.

MESSAGING FREQUENCY

Message frequency may vary based on the type of communications sent and campus events. Users can expect messages related to academic deadlines, campus safety alerts, administrative reminders, and student service notifications.

OPT-OUT HELP

- You may opt out of SMS communications at any time by replying "STOP" to any message received. Upon doing so, you will no longer receive SMS messages from SUNY Schenectady.

- For assistance, reply "HELP" or visit our website at sunysccc.edu.

MESSAGE & DATA RATES

Message and data rates may apply depending on your mobile carrier and plan. SUNY Schenectady is not responsible for any charges incurred from receiving SMS messages.

PRIVACY & DATA SECURITY

Your phone number and any associated personal data will be handled in accordance with SUNY Schenectady's privacy policies and applicable laws, including FERPA, HIPAA (where applicable), the GLBA, and the SHIELD Act.

- Data collected through the SMS program will be securely stored and protected against unauthorized access.
- SUNY Schenectady does not sell, rent, or share your phone number with third parties for marketing purposes.
- Personal data collected through the SMS program will only be used for the intended purpose of delivering college-related notifications.
- Any data breach that compromises user information will be handled in accordance with institutional policies and state and federal notification requirements.

COMPLIANCE WITH REGULATIONS

SUNY Schenectady ensures that its SMS program complies with relevant federal and state regulations, including but not limited to:

- The **Family Educational Rights and Privacy Act (FERPA)** for student information privacy.
- The **Health Insurance Portability and Accountability Act (HIPAA)** for any health-related notifications.
- The **Gramm-Leach-Bliley Act (GLBA)** for financial information protection.
- The **New York SHIELD Act** for cybersecurity and data protection.
- The **Telephone Consumer Protection Act (TCPA)** and other applicable FCC regulations governing SMS communications.

SUPPORTED CARRIERS

SUNY Schenectady's SMS program supports major U.S. mobile carriers; however, availability may vary depending on your provider. We are not responsible for delays or message failures caused by mobile carriers.

CHANGES TO TERMS & REVIEW

SUNY Schenectady reserves the right to modify these SMS Terms & Conditions at any time. Revisions and/or review will be conducted on a yearly basis to ensure compliance with applicable laws and institutional policies.

CONTACT INFORMATION & POLICIES

For questions regarding this SMS program, contact the SUNY Schenectady IT Help Desk at ithelpdesk@sunysccc.edu

For the full privacy policy, visit: https://sunysccc.edu/About-Us/Policies-and-Procedures/Facilities-Policies-Technology.html.

SUPPORTING DOCUMENTS & LINKS

- SUNY Schenectady Privacy Policy: https://sunysccc.edu/About-Us/Policies-and-Procedures/Facilities-Policies-Technology.html
- Federal Communications Commission (FCC) Guide on Unwanted Text Messages: https://www.fcc.gov/consumers/guides/spam-unwanted-text-messages-and-email
- Federal Trade Commission (FTC) Guide on Complying with the Telemarketing Sales Rule: https://www.ftc.gov/tips-advice/business-center/guidance/complying-telemarketing-sales-rule
- SUNY Empire State University Policy on Use of University Text Messaging Services: https://sunyempire.edu/policies/?search=cid%3D158901
- SUNY Empire State University Text Security Policy: https://esc.sunyempire.edu/compliance/text-security