

# Electronic Messaging Services Policy

## Overview

The College uses various methods to share information with the community, including but not limited to the portal, website, emails and printed materials. Additionally, text, instant messaging, voice messaging and fax may be used to supplement the College's communications strategy. Federal and state laws and regulations govern the use of electronic messaging. Accordingly, the College complies with applicable law and statutory regulations, including the Telephone Consumer Protection Act (TCPA), the Controlling the Assault of Non-Solicited Pornography Marketing (CAN-SPAM) Act, rulings from the Federal Communications Commission (FCC) and other applicable state laws.

## Purpose

This policy establishes and communicates the College's expectations for compliance with College policy, industry best practices and applicable law and regulations regarding voice, text, fax, email and any other electronic messaging.

## Scope

1. This policy (Policy) applies to the entire College community, which is defined as including the Main Campus (Palmer College Foundation, d/b/a Palmer College of Chiropractic), Palmer West (Palmer College of Chiropractic West) and Palmer Florida (Palmer College Foundation, Inc., d/b/a Palmer College of Chiropractic Florida) and any other person(s), groups, or organizations affiliated with, associated with, conducting business with or on behalf of any Palmer campus.
2. This policy applies to any electronic messaging application or system procured, managed, and/or developed using College resources.
3. This policy applies to all electronic messaging applications and services, including but not limited to text, instant messaging, e-mail, fax, voice (live, artificial, or prerecorded voice sent via automatic telephone dialing systems).
4. This policy applies to all electronic messaging sent to individuals or groups on behalf of the College, a College department or College official to non-Palmer owned or controlled devices or applications.
5. This policy generally does not apply to one-on-one conversational electronic messaging sent to or from non-Palmer-owned or controlled devices for personal reasons.
6. This policy generally does not apply to electronic messaging sent to businesses on behalf of the College, a College department or College official.

## Definitions

For the purposes of this Policy, the following terms shall have the meanings specified below:

1. Authorized College Officials – refers to those departments and individuals determined by the College to have business necessity to send use electronic communication.
2. Automatic Telephone Dialing System – refers to equipment which has the capacity to store or produce telephone numbers to be called, using a random or sequential number generator; and dial such numbers.

3. College Community -- refers to any person who is a student, faculty member, College official, Security Officer, College employee or member of any other organization or club recognized officially by the College.
4. College Official – refers to any person employed by the College performing assigned administrative or professional responsibilities.
5. Commercial or Promotional Message – refers to any message that advertises or promotes a product or service, including content on a website.
6. Electronic messaging -- refers to all electronic messaging applications and services, including but not limited to, text, voice and artificial or prerecorded voice, and e-mail communication.
7. Email message – refers to an electronic message sent to an email address.
8. Emergency Messaging – refers to communication required in any situation impacting the health and safety of members of the College community. These include but are not limited to weather closures, fire, health risks, and threats.
9. Fax Message – refers to a printed message delivered to a recipient’s fax machine.
10. Instant Message – refers to a message delivered via an application to a recipient’s device.
11. Mass Messaging – refers to messages that are the same or similar that are sent out to email addresses or phone numbers in one or multiple groups.
12. Messaging Campaign – refers to messaging that is sent to a group of individuals focused on a single topic or purpose and generally sent within the span of a few minutes. Campaigns are limited to no more than 49.
13. Opt-In – refers to an action by which a recipient provides expressed consent to receive College communications electronically. Only individuals who have opted-in will receive electronic communication from the College.
14. Opt-Out – refers to an action by which a recipient who previously opted in to receive College communications electronically can indicate, at any time, that they no longer want to receive electronic communication from the College. Individuals who opt-out will not receive electronic communication from the College.
15. Recipient – refers to the individual receiving the electronic message.
16. Sender – refers to the individual who initiates the message.
17. Spam -- refers to unsolicited bulk electronic messages. Spam often includes advertisements, but can include malware, links to infected websites, or other malicious or objectionable content.
18. Student Club – refers to the collective group of students who have complied with the formal requirements for College recognition. For purposes of this Policy, the term “student club” also includes student leadership organizations such as Student Council, Class Representatives, Campus Guides, Business Center Student Ambassadors, Mentors and Palmer Student Alumni Foundation.
19. Telephone Fax Machine – refers to equipment which has the capacity (A) to transcribe text or images, or both, from paper into an electronic signal and to transmit that signal over a regular telephone line, or (B) to transcribe text or images (or both) from an electronic signal received over a regular telephone line onto paper.
20. Text Message – refers to the sending of short text messages electronically especially from one cell phone to another.
21. Transactional Message – refers to a message that facilitates an already agreed-upon transaction or updates a recipient about an ongoing transaction.

22. Voice Message – refers to a recorded or live message delivered via a telephone call to a recipient's phone.

### *Policy Statement*

The College uses electronic messaging to advance the College's mission, communicate important information and enhance existing, primary communication while protecting the privacy and respecting the preferences of recipients and complying with applicable law and regulations.

### *Standard Content Requirements for Electronic Messaging*

All electronic messaging sent to individuals or groups on behalf of the College, a College department or College official to non-Palmer owned or controlled devices or applications must meet standard requirements for messaging including but not limited to requirements for consent, content, tone, accuracy, purpose, relevance to the recipient, frequency of messages, time sent, systems used and applicability of messaging data rates.

Users are responsible to review and verify that electronic messaging, at a minimum, meets the standard requirements established by the College to comply with this Policy, industry best practices and applicable law and regulations.

### *Authorized Systems*

Electronic messaging must be sent using approved software platforms authorized by the College.

### *Primary Means of Official Communication*

The College's primary means to communicate official College information and announcements is through College-assigned email addresses.

### *Supplementary Electronic Messaging*

The use of text, voice (live, artificial, or pre-recorded), instant messaging and fax messaging are supplementary to the College's primary means of electronic email communication. Supplementary electronic messaging may be used only for those who have opted-in to receive electronic messaging to non-Palmer owned or controlled devices or applications.

### *Consent and Revocation of Consent (Opt-in/Opt-out)*

All electronic messaging sent to non-Palmer owned or controlled devices or applications for College-related business purposes must provide recipients with a method to communicate expressed consent (opt-in) to receive electronic messaging from the College. Likewise, recipients must be provided in every electronic communication with a method to revoke consent (opt-out) at any time, to discontinue receiving electronic messaging from the College. The College must make every effort to promptly cease the transmission of any further messaging when a recipient opts out or revokes prior consent.

### *Emergency Electronic Messaging*

Emergency messaging is limited to the Safety & Security Department who in coordination with the Marketing & Communication Department is charged with the leadership and oversight of all College emergency messaging. The College will send emergency notifications to students and employees using Palmer email and phone numbers. Additionally, the College may use personal contact information provided by students and employees who have opted-in to the Palmer Alert system for the sole purpose of sending out emergency notifications.

### *Non-Emergency Electronic Messaging to Individuals*

Non-emergency electronic messaging to individuals may be used for College-related business

purposes when acting in one's professional role. Messaging must comply with this Policy and the College's Messaging Standard.

## *Non-Emergency Messaging Campaigns and Other Mass Electronic Messaging*

Non-emergency messaging campaigns and other mass electronic messaging to groups may be used for College-related business purposes, is limited to departments and College officials authorized by the College, and must comply with this Policy and the College's Messaging Standard.

Electronic text messaging requires a unique phone number and completion of a registration process designated by the College's carrier to send electronic text messages for emergency alerts, opt-in marketing campaigns, and other business-related notifications. Failure to comply with these requirements will cause messages to be flagged and blocked as spam and could result in the College's loss of services by the wireless carrier.

**Accordingly, all electronic text messaging from Palmer owned phone numbers to non-Palmer owned phone numbers must be authorized in advance and initiate the required process via the Information Technology Department.**

## **College-wide Non-Emergency Electronic Messaging**

The Marketing & Communication Department is charged with the leadership and oversight of all official College-wide messaging for internal and external audiences. Requests for College-wide nonemergency messaging must be submitted to and approved by Marketing & Communication and must comply with this Policy and the College's Messaging Standard.

## **College Messaging Campaigns and Other Department Mass Electronic Messaging**

Mass messaging can be an effective means to communicate with large target audiences. Messaging campaigns and other department mass electronic messaging must comply with this Policy and the College's Messaging Standard.

Examples of permitted non-emergency mass messaging includes but is not limited to: information about cancellations, closures, admissions and academic requirements or deadlines, registration information, financial aid, employment notices and deadlines, compliance requirements and deadlines, investigation notices, complaint or disciplinary outcome decisions, fund raising, and other matters that are time sensitive and necessary for student and employee success, safety and other necessary business operations.

## **Instructor Mass Messaging**

Mass messaging can be an effective means for instructors to communicate with their classes. Instructor mass messaging must be limited to students currently enrolled in the instructor's classes, must be class-related content, sent to Palmer-assigned email addresses and must comply with this Policy and the College's Messaging Standard.

## **Student Club Mass Messaging**

The College's Registered Student Clubs and Organizations may send mass electronic messages to their membership only. Mass messaging to club membership should be limited to official business of the student club or organization, must be sent to Palmer-assigned email addresses and must comply with this Policy and the College's Messaging Standard. Mass messaging beyond club membership must be approved by Student Services and follow established procedures.

## *Monitoring, Auditing and Recordkeeping*

Individuals responsible for monitoring, supervision and oversight of department operations are also responsible for monitoring and auditing the use of electronic messaging and compliance with this policy for the relevant department. This responsibility includes appropriate and timely response to replies from recipients as well as recordkeeping of messages sent and received, recipients' expressed decisions to opt-in or opt-out and any future decisions to opt-out after previously opting-in.

## *Prohibited Electronic Messaging*

Prohibited messaging includes, but is not limited to the following:

1. Messaging that fails to comply with any College policy.
2. Messaging that interferes with the normal operations of the College.
3. Messaging that is unlawful or inappropriate for a professional school and work environment.
4. Messaging that does not comply with the technical and procedural standards established by the College to implement and comply with applicable law and regulations.
5. Messaging sent to individuals who have not opted-in and messaging to individuals who have opted-out though they previously opted-in.
6. Messaging that does not prominently display and clearly communicate methods to opt-in or opt-out of further messaging.
7. Messaging that does not prominently display identifying information about the sender (e.g., College name, department name, sender's name) and the specific purpose.
8. Spam as defined above.
9. Messaging that contains social security numbers, passwords, credit card numbers, FERPA or HIPAA-protected data or any other confidential information or protected data without encryption or other appropriate security measures.
10. Messaging sent between the hours of 9 p.m. and 8 a.m. with additional consideration given to the recipient's time zone.
11. Solicitation or unsolicited advertisement of non-College products or services.
12. Messaging on behalf of an individual or group for personal matters (e.g., items for sale, farewell messages).
13. Messaging that is general in nature and sent to large populations (e.g., "fall classes start Monday!").
14. Any messaging not authorized by the College.

## *Additional Information*

### *Associated Policies, Processes, and/or Procedures*

This Policy is supplemented below. It is the responsibility of all employees to know and comply with additional associated policies and procedures as supplemented.

### *Policies*

1. [Standard Provisions Applicable to All Institutional Policies](#)
2. [Use of College Electronic Communication Services](#)

3. [Confidential Information](#)
4. [Student Records \(FERPA\)](#)
5. [Health Insurance Portability and Accountability Act \(HIPAA\)](#)
6. [Text Messaging Terms and Conditions](#)

### *Processes, Procedures, and/or Standards*

1. [Email Standard](#)
2. [Text Message Standard](#)
3. [Telephone and Fax Standard](#)

### *Other Resources*

1. [PowerPoint Presentation Training](#)
2. [Electronic Messaging Web Page](#)

### *Other Related Information*

1. Telephone Consumer Protection Act 47 U.S.C. § 227
2. CAN-SPAM Act
3. FCC regulations

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### *History*

Approved by EAT: ..... October 23, 2024

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