TCPA and Carrier Best Practices for Mobile Messaging Programs

Updated September 27, 2018

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Agenda

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- Compliance Content Guidelines
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  + Text Messages
  + Mobile Giving

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- Sample Calls to Action

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Definitions

Short Message Service (SMS):
+ Standardized communications protocol for mobile devices, a.k.a. a text message.

Multimedia Message Service (MMS):
+ Standard communications protocol to send multimedia content (images, animated gifs, and video) to mobile phones.

Definitions

CALL TO ACTION

Text MOBILE to 662266

KEYWORD   SHORTCODE

Shortcode:
+ The 5 or 6 digit phone number that organizations use to interact with end users over SMS or MMS.

Keyword:
+ The word or name that end users text in initially to opt into a campaign, used to differentiate campaigns using the same shortcode.

TODAY WE MOURN FOR SAN BERNARDINO
TOMORROW WE FIGHT FOR THEM
Join Us. Text **ENOUGH** to **64433**

If you're angry about San Bernardino, here's something you…
act.everytown.org

Call to Action (CTA):
+ Any content or material that asks end users to text a keyword to a shortcode.

Definitions

CTIA

+ The Wireless Association is an industry trade group that represents the international wireless telecommunications industry. They are the industry trade group that audits calls to actions in the marketplace. They create compliance requirements and publish a handbook detailing these Requirements.

CTIA Audit

+ If your call to action or message content is found to be non-compliant you could receive a CTIA Audit. This will require you to correct and change your CTA or message content. The Mobile Messaging support team will help guide you through this process should you receive an audit.

TCPA

+ The Telephone Consumer Protection Act was enacted originally by the FCC in 1991. It was passed to restrict telephone solicitations. With technological advances it's reach was extended to SMS text messages, most notably in 2013. The TCPA requires that subscribers can opt-out at any time, that no one can receive messages without providing prior written consent and that disclosures around message and data rates applying be present and clear.

TCPA and Carrier Guidelines

DISCLAIMER

This presentation is part of our effort to keep you informed about the TCPA and other carrier guidelines. It is provided for informational purposes only, and does not constitute legal advice. Smart As A Fox LLC strongly encourages you to obtain competent legal counsel for advice relating to the TCPA, other carrier guidelines, and the effects of the FCC's rulings. Smart As A Fox LLC expressly disclaims any liability relating to the accuracy or completeness of the contents this presentation.

Compliance: Calls-to-Action & Opt-Ins

- Make sure your organization **READs the latest CTIA handbook** for details around how to promote your SMS program in a compliant manner to avoid any audits.

- **Identify your organization!** You must let users know that they are opting in to your text messaging campaign.

- **Type and Frequency:** You must provide the type of messages, whether the messages are recurring, and how frequently they should expect to receive messages. (ie. up to 4x per month)

- **Webforms:** You must link to your terms & conditions and your privacy policy.

- You must indicate that **no purchase is necessary**.

- **Provide clear information about how to opt-out.** You must include "Text STOP to quit, HELP for more info." STOP and HELP should be capitalized.

- **You must include "Message and data rates may apply" in this exact wording.**

Compliance: Calls-to-Action & Opt-Ins

There are some requirements for the first text message a user receives from you, as well as additional compliance information for messages sent after the first text.

> Reply STOP to quit, HELP for more info. Data&MsgRatesMayApply

- This content NEEDS to be in your first text message back to a user from any opt-in method (text message, web form, in-person, etc.)
- This content should be sent over to your subscribers periodically. We recommend once a month. We provide this content as a placeholder in our system for your convenience.

> MC: Welcome! Reply with your First Name (i.e. John) to get started. Reply STOP to quit, HELP for more info. Data&MsgRatesMayApply.

Compliance Content: Mobile Giving

- If you are a mobile giving (text to donate) client, there are detailed compliance instructions you will receive when you set up your mobile giving keyword. There are additional pieces of content that will needed to be included on your calls to action if you are asking users to donate via SMS.

- Please work with Smart As A Fox to get the most up to date compliance requirements and best practices for your mobile giving campaign.

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Typical Opt-In User Flow

BROADCAST **PRINT** **ONLINE** **IN PERSON**

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1. The end user sees or hears a call to action in the marketplace.
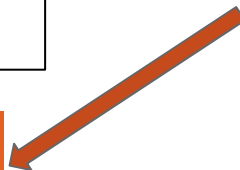
CALL TO ACTION

Text **MOBILE** to **662266**

KEYWORD   SHORTCODE

2. The end user sends a text message containing the campaign-specific keyword to the shortcode number advertised on the call the action.

3. The end user receives an automated welcome message from the shortcode to their mobile phone.

4. The end user becomes an active subscriber to the text messaging campaign.

The subscriber can now begin receiving messages from you!

Call-to-Action Best Practices

Follow this list of best practices for promoting your call to action across different channels to ensure a big, happy subscriber list:

- Be Clear
- Be Concise
- Be Bold
- Provide Value
- Be Compliant

Call-to-Action Essentials

Be Clear
Keep your call to action clean and singular with a simple keyword. Asking users to take multiple actions means they will take none.

Be Concise
Keep your message and reason for people to opt in simple and immediately easy to understand.

Be Bold
Make sure your actual call to action is easy to see, and highlight the keyword and shortcode. Make them bold or use another color to make them stand out even better.

Provide Value
Let users know why they should text in, and what they should expect with recurring messages. Make sure there is value both to opting in initially and subscription.

Sample Call-to-Action

+ Be Clear

+ Be Bold

+ Be Concise

+ Provide Value

+ Be Compliant

Text **NUTJOB** to **20222** to donate **$10** to our friends at

THE **HUMANE** SOCIETY
OF THE UNITED STATES

Nut Job 2
nutty by nature

Additional Resources

CTIA Shortcode Handbook

This is the absolute definitive guide to all compliance requirements when using a shortcode. Please be sure to reference this as you create your initial opt-in messages and calls to action. If you need any help navigating this, or have questions after reviewing, just send your mobile strategist an email!

You can find the Handbook and some of our best practices and guidelines here:

https://community.uplandsoftware.com/hc/en-us/articles/209368046-Compliance-Requirements-for-Marketing-and-Messages

Mobile Resources

**Smart As A Fox Client Support Page:** https://smartasafox.org/mobile/login

This page provides access to login to your account, the Upland Mobile Commons Support & Documentation Portal, as well as the Smart As A Fox Support Request Form. You can also get tips via the "What the Fox Says" Blog.

You can also email mobile@smartasafox.org or Text **SUPPORT to 97779**. Both will be monitored and you will receive a reply within 24 hours.

Upland Mobile Commons SMS Club
Text MOBILE to 662266 for helpful tips on using the Upland Mobile Messaging platform.

Questions?

LET'S DO THIS.
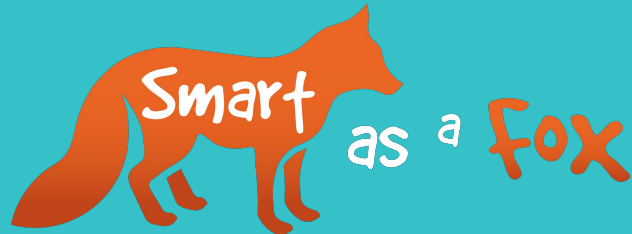
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