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As a public K-12 school district, we are strongly in favor of a declaratory ruling that would shield valid educational institutions from financial liability for actions conducted with the sole intent to keep the parents of our minor students informed of emergency and other actions or events. We support Blackboard's request for a declaratory ruling that all automated informational messages sent by an educational organization via a recipient's requested method of notification are calls made for "emergency purposes" and should be considered outside the requirements of the Telephone Consumer Protection Act (TCPA). Like most valid educational entities, we only use automated systems to call numbers that were provided to us by our parents. The most troubling aspect of the current regulation is the requirement for parents to specifically opt-in to any automated call or text messaging. Our district is in a high poverty area with a highly transient population and many non-English speaking parents, so it is very difficult to collect and maintain basic contact information for many of our parents. The additional burden of requiring an opt-in process specifically for automated messaging will make it virtually impossible to maintain effective communication systems with many of these parents. Furthermore, when parents provide the district with phone numbers it is with the intent that the educational institution will use this phone number to contact parents with crucial information about their child. Therefore, a phone call made to a wireless telephone number is made with "prior express consent". We also concur with Blackboard's request that a "called party" as used in the TCPA and the Commission's rules should refer to the "intended recipient" of the informational message.

We would have these specific recommendations and revisions to the proposal submitted by Blackboard:

- \* While the Blackboard Proposal calls for an exemption for any "educational organization", this could be narrowed to only effect "Accredited K-12 schools or other full time educational institutions primarily serving minors" since colleges and other education institutions serving adults may have less need to communicate with parents on time sensitive issues.

- \* Informational messages sent to a wireless telephone number by accredited K-12 educational institutions should constitute a call made with "prior express consent" when the wireless telephone number was provided to the K-12 educational institution as a means of providing information to the recipient of the phone call.

- \* Alternatively, the exemption could include a requirement that "qualifying" educational institutions must offer an opt-out process rather than an opt-in process for telephone numbers provided for informational purposes.