



## CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

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### Board Policy Statement

#### 1110.4 – Automated Calls/Text Messages (Auto-Notification System/Robocalls)

Approved on October 15, 2018

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The Board of Education (Board) shall utilize an automated notification system/service, commonly referred to as "robocalls," to facilitate the sending of important and informative information to families, staff and students through telephone calls and/or text messages. The Board believes robocalls allows the District and its schools to communicate with parents/guardians, staff and students in an extremely effective, efficient and timely manner. Such communication can be used for many different situations involving students.

The District and/or its schools will make robocalls or send automated text messages to family wireless telephones regarding issues pertaining to the health and safety of students and faculty, including unexcused absences, weather closures, incidents of threats or imminent danger to the school or individuals. Such messages, the Board realizes, can be communicated pursuant to the "emergency purpose" exception to the Telephone Consumer Protection Act's (TCPA) consent requirement. Autodialed calls and automated texts can be made to student family wireless telephones without consent required for emergencies, which can include weather closures, fire, health risks, threats and unexcused absences. Such calls are made necessary by the situation affecting the health and safety of students and faculty.

Further, the Board permits the District and its schools to make robocalls with prior express consent when a parent/guardian or student provides his or her wireless number as a contact and the call to be made closely relates to the educational mission of the school or to official school activities. Examples of this include notification of upcoming teacher conferences, notification of a school activity or surveys to seek input on school-related issues.

The Board expects the administration to take the necessary steps, or to work with the vendor providing this automated notification service, to regularly update the emergency calling lists in order to ensure that emergency-type calls reach the intended parent/guardian of the affected student and not individuals with no contact to the schools.

The Board permits the making of non-emergency calls utilizing the auto notification system to parents/guardians or students only when they have provided a wireless number as a contact to the school or district. The scope of this consent, is recognized by the Board, to permit communication from the District or school which are closely related to the educational mission of the school or to official school activities, absent instruction to the contrary from the party providing the telephone number. In compliance with the FCC's viewpoint, the Board recognizes that a parent/guardian or student who provides their wireless number to the District/school as a contact has given permission to be contacted at that number for school purposes.

Notifications, using the auto notification system, pertaining to non-school or community events which lack any educational purpose or connection to school activities are considered by the Board to be outside the scope on the consent which the parents/guardians has only provided a number to the school authorities without disclosure that they may receive these types of notifications.

## **Legal References**

### **Connecticut General Statutes**

- 1-200 - 1-241 Public records and meeting.
- 10-220 Duties of boards of education.
- 10-15b Access of parent or guardians to student's records.
- 11-8a Retention, destruction and transfer of documents.
- 46b-56 (e) Access to Records of Minors. Connecticut Public Records Administration Schedule V - Disposition of Education Records (Revised 1983).

### **Federal Statutes**

- Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g).
- Dept. of Education 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g) parent and student privacy and other rights with respect to educational records, as amended 11/21/96.
- Telecommunications Consumer Protection Act 47 U.S.C. §227.
- Federal Communication Commission Rules 47 C.F. R. §64.1200.
- Federal Communication Commission Declaratory Ruling (CG Docket No. 02-278 Declaratory Ruling FCC 16-88).