

Acceptable Use Policy – Short Message Service (SMS)

With Short Message Service (SMS), You can send brief text messages from Your organization to people in Your database who have text capable (typically mobile) telephone numbers. Blackbaud requires all SMS customers to adhere to the policy outlined below. For assistance with specific questions related to Your SMS program, contact Blackbaud Support.

Permission-based texts – Before You use Blackbaud’s Solutions to send texts, make sure You’re allowed to send messages to recipients.

You must:

- Verify You have consent. Depending on how You obtain telephone numbers, and Your relationship with the recipient, consent might be express or implied.
 - **Express** – If You don’t already have relationships with recipients, You need express consent from them to send text messages containing marketing, advertisement, or soliciting content. Consent can be collected online, by phone, on paper forms or if available within the Solution and permitted by applicable laws, through email or text. When collecting consent to send SMS messages, always describe the nature of messages You send and the telephone numbers Your organization uses when it sends texts.
 - **Implied** – Consent is implied for SMS messaging when the recipient has previously given the organization their number to receive information on the organization. Consent is also implied when confirming online transactions or for purely informational messages.
 - Note: If You collect a recipient’s number for an implied purpose, such as to validate a payment, You can’t send messages that require express consent.
- Ensure You have a valid legal basis for communications.
- Comply with all data protection and privacy laws that apply to Your organization.

After a recipient agrees to receive text messages, Blackbaud automatically sends a message to their device for them to confirm their consent. The recipient must respond to this message before they can receive messages from Your organization.

Explicit opt-in collection – When You use Blackbaud Solutions to collect telephone numbers as part of online form submissions, the screen must include a clear and conspicuous option to allow users to decide whether to opt in to receive text messages. This option should not pre-populate the opt-in selection.

The form must also include Your organization’s legal name, how often You send messages, a notice that



messages might incur carrier costs and fees, and a link to complete terms and conditions for Your messaging.

Telephone number lists acquired from third parties – If You purchase or use lists of telephone numbers from third parties, the list owners must use their own brands and systems to invite subscribers to opt in to receive text messages from Your organization. Once You obtain consent for those recipients, You may then use Blackbaud’s Solutions to send text messages to them.

Blackbaud number append services – If You purchase or use Blackbaud services to correct, update, or add telephone numbers for recipients who already exist in Your database, You must still determine whether You have express or implied consent before You use Blackbaud’s Solutions to send messages to them.

Unsubscribe requests – Messages must include clear and visible instructions for how to unsubscribe from all marketing and non-transactional texts You send. To encourage recipients to reconsider, You may offer alternate options – such as which types of messages You send and how often You send them – included within the text You send to confirm unsubscribe requests. For clarity, once a recipient has unsubscribed, You may only send one (1) follow-up message confirming they have unsubscribed.

Unsubscribe propagation – If You use another service provider in addition to Blackbaud, ensure You update unsubscribe requests from each system to the other within five (5) business days.

Unacceptable text practices – You may not:

- Use Blackbaud Solutions to send unsolicited or harassing text messages (commercial or otherwise).
- Obtain mobile telephone numbers by harvesting them from websites or offline directories, or by auto-generating them.
- Send text communications that contain misleading or false information.
- Improperly engage in activity which the United States Federal Communications Commission restricts or regulates regarding public telephone network usage.
- Engage in spamming or other unsolicited advertising, marketing, or other activities that violate anti-spamming laws and regulations including, but not limited to, the CAN SPAM Act of 2003, the Telephone Consumer Protection Act, and the Do-Not-Call Implementation Act.
- Transmit any material that may infringe or violate the intellectual property rights or other rights of third parties, including, but not limited to, trademark, copyright, or rights of publicity.

