

The information presented in this article is for informational purposes only and is neither intended as nor should be substituted for consultation with your legal counsel or compliance team.

To protect consumers' privacy and SMS communication preferences, there are regulations in place that dictate what you can and can't do with the marketing channel, including *how*, *when*, and *what* you communicate to your subscribers.

SMS Compliance is governed by legislation and various regulatory bodies at the federal and state level, including TCPA, CTIA, CAN-SPAM, and CASL.

Compliance Terms to Know

- **Carriers:** Carriers are telecommunication service providers like Verizon, AT&T, and T-Mobile.
- **CTIA:** The Cellular Telecommunications Industry Association maintains and publishes best practices and guidelines for the wireless industry and audits message senders on behalf of carriers.
- **TCPA:** The Telephone Consumer Protection Act is a US federal statute that dictates how message senders may communicate with recipients. CASL is the Canadian equivalent of TCPA. Some US states have stricter versions of TCPA.
- **SHAFT:** SHAFT describes the types of prohibited content in SMS messaging. SHAFT stands for sex, hate, alcohol, firearms, or tobacco.
- **Opt-in:** An opt-in is the action of a recipient giving their explicit consent to receive promotional or informational messages from a sender.
- **Opt-out:** An opt-out is the action of a recipient revoking permission to be contacted by a sender

Always Obtain Explicit Consumer Opt-in For SMS

Message senders must obtain explicit consent from recipients prior to messaging them. Ascent360 can obtain explicit consent for the SMS channel in the following ways:

- Ascent360 Landing Pages or integrated external form providers
- Text-to-join keywords
- Edits to a customer's texting permission in Customer Lookup
- Permission flowing in from an integrated source system like Point-of-Sale or e-Commerce

Unlike Email Permission, there is no concept of an "implicit" SMS Permission in Ascent360.

Opt-In Disclosure Language

TCPA requires message senders to include SMS disclosure language wherever recipients have the opportunity to opt-in. If you are creating an SMS opt-in form using Ascent360 Landing Pages, Ascent360 will pre-populate your form with our recommended disclosure language (also shown below).

If you have a call-to-action (CTA) or other forms that are not using Ascent360 Landing Pages (like print media), you must include this disclosure language on the CTA with instructions on how to access your Privacy Policy and Terms of Service.

Your SMS disclosure language must include the following elements:

- **Program Name:** In most cases, this will be your brand name.
- **Purpose:** It is important to include language stating what types of messages the consumer is opting-in to receive.
- **Permission:** You must include clear language of permission like "you agree" or "you consent to receive".
- **Opt-out Instructions:** Provide instructions for how a consumer can opt-out. Ascent360 supports the STOP keyword globally as well as other methods outlined below.
- **Help instructions:** Provide instructions for how a consumer can receive additional help via a Customer Support phone number or email. Ascent360 supports the HELP keyword globally (more information below).
- **Frequency:** Disclose the message frequency to the consumer.
- **Message and data rates may apply:** Provide the language "Message (or msg) and (or &) data rates may apply".
- **Condition of purchase:** Opting in to promotional text messages should not require monetary exchange.
- **Terms of service:** Include a link to your terms and conditions.
- **Privacy Policy:** Include a link to your privacy policy.

Example of SMS Disclosure Language:

By submitting this form and signing up for texts, you consent to receive marketing text messages (e.g. promos, special offers, sales, announcements, alerts) from [Program/Company Name] at the number provided. Consent is not a condition of purchase. Msg & data rates may apply. Message frequency varies. Unsubscribe at any time by replying STOP or reply HELP for help. Privacy Policy [\[link\]](#) & Terms [\[link\]](#)

Ascent360 provides Promotional and Informational messaging content outlined by the CTIA. Both of these content types require the message sender to obtain explicit permission prior to contacting the recipient.

Opt-In Confirmation Compliance Messages:

Upon successful opt-in by the recipient (integrated source system, keyword, form submission), Ascent360 will send an opt-in confirmation SMS message to the individual that opted-in. This message counts against your SMS credits

purchased.

[Program/Company Name]: Msg&data rates may apply. Recurring messages. Reply HELP for help, STOP to cancel.

The body of the opt-in compliance message can be viewed in the **Automated Responses** page of the Ascent360 CDP.

Identify Yourself as a Message Sender

All text messages sent from Ascent360 must identify brand name (From Name) of the message sender. The Ascent360 team will set up your brand name at time of configuration and/or onboarding.

It's recommended to use the legal name of your business as your brand identification.

Ascent360 will automatically prefix your text message design with your brand name as configured in the Settings. The length of the brand name counts against SMS & MMS character limits.

Honor Opt-outs/Unsubscribes

Texting regulations require senders to provide instructions for opting out of text messaging within their messaging.

To ensure compliance in this area, Ascent360 will automatically append compliant STOP language to the end of your text message. This language counts against SMS & MMS character limits.

The default "STOP" language is set within your Ascent360 Portal Settings. There are a handful of pre-set options; if you'd like additional options, please reach out to your CSM or support@ascent360.com.

Default STOP language options offered in Ascent360:

- Reply STOP to end
- Text STOP to End
- Reply STOP to unsubscribe
- Reply STOP to opt out
- STOP2END

Ascent360 will monitor for known "stop" keywords (in English and French). When a STOP is received, Ascent360 will send an opt-out confirmation compliance message on your behalf and this individual will have their texting permission set to NO.

The body of the STOP compliance message can be viewed in the **Automated Responses** page of the Ascent360 CDP. Compliance messages count against your SMS credit tier.

In the case where a recipient does not text STOP but communicates an opt-out request to you through some

other means, you can manually update the texting permission for an individual in Customer Lookup.

Support HELP Keywords

Senders are required to support the HELP keyword.

When HELP or INFO is received, Ascent360 will send a compliance message on your behalf. Compliance messages count against your SMS credit tier.

The body of the HELP compliance message can be viewed in the **Automated Responses** page of the Ascent360 CDP.

[Program/Company Name]: Help at [Help Contact Configured in Ascent360 Portal]. Msg&data rates may apply. Recurring messages. STOP to end.

The Help contact is a phone number or email address monitored by your business that recipients can contact for additional help. If you need to change your help contact, please contact your CSM or support@ascent360.com.

Do Not Send Prohibited Content

There are specific topics that wireless carriers refuse to deliver to recipients.

Sending SMS or MMS related to these prohibited topics may result in messages getting severely filtered by carriers or the carriers completely blacklisting the sending number and any other numbers related to your business.

Prohibited Topics include but are not limited to:

- SHAFT - Sex, Hate, Alcohol, Firearms, Tobacco
- Illegal/Controlled substances
- Debt collection & debt forgiveness
- Get Rich Quick Schemes
- High-Risk Financial Services

For more information on Prohibited Topics in SMS, see [Prohibited Content in Text Messaging](#).

Text Messaging Quiet Hours

There are certain times when it's illegal to send SMS known as Quiet Hours. Quiet Hours depend on the current time of the recipient of the text message (not you, the sender). Some states have Quiet Hours that deviate from the Quiet Hours set in place by the TCPA.

Ascent360's global Quiet Hours are from **6PM to 10AM Mountain Time**. If you are attempting to send a text message during this window, we'll warn you before proceeding.

If you feel that you have a legitimate reason to be sending text messages to subscribers while Quiet Hours are active, you may do so at your own legal risk.

For more information on Quiet Hours, see [What are Texting Quiet Hours?](#)