

305.10AP – Canadian Anti-Spam Legislation

Purpose

The 2014 Canadian Anti-Spam Legislation prohibits the sending of messages with commercial content via electronic methods without the express written consent of the receiver.

Although this procedure deals primarily with email messages, it should be noted that the provisions of the Canadian Anti-Spam Legislation apply to all forms of electronic communication, including email, voice mail, and social media.

Procedure

School-Initiated Electronic Communication

For schools, commercial content may include such things as:

- school and PAC fund-raising events,
- field trips for which there is a charge,
- book sales,
- tickets to school productions,
- school photos
- promotion of hot dog lunches or other special meals for which there is a charge
- charges associated with graduation ceremonies

Generally, anything for which there is a charge or monetary donation would be considered commercial content.

Schools, when sending electronic correspondence, must follow the following requirements:

- Email addresses are provided by parents on the registration form and the annual information verification forms and are entered into the district's student information system: Schools may use these email addresses to send routine electronic messages related to school operations and activities. Such messages cannot contain any commercial content.

Examples of permissible content:

- Letter from principal regarding "Meet the Teacher" events or report card interviews
- Safety alerts for students and parents

- If schools wish to send commercial content electronically, they must maintain a separate mailing list of parents from whom they have obtained consent to use their email addresses.

Examples of content for which consent is required:

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- School newsletters
- Notices of fund-raising events, including Fun Fairs

District-Initiated Electronic Correspondence

- The district may not use its internal email group lists or listservs to transmit commercial content.
- The district may use the list of parent email addresses obtained from the registration and student verification forms for notices to parents that do not contain commercial content.

Responsibilities of Employees

- The school district's group email lists may not be used by employees for emails that contain commercial content
Examples that are not permitted:
 - Sending an email to a district group email list
 - That promotes a fundraiser that is not being sponsored by a registered charity
 - That promotes a school event, such as a concert or drama production, for which there is a charge
 - That promotes a commercial product
- If employees create their own group email lists to send emails in their official capacity (whether using their district email or some other email address), these may not be used for commercial purposes without the consent of the individuals on the list.
Examples:
 - A teacher creates a group email list of parents. Unless the teacher has written consent from each parent on the list, emails sent to the list cannot contain any commercial content, i.e., field trips for which there is a charge or a class fund-raising project;
 - A principal creates a group email list of community partners. Unless the principal has written consent from each person on the list, emails sent to the list cannot contain any commercial content, i.e., raising funds for a school program.
 - A group of employees create a list of the school district emails of fellow employees at a worksite. Unless permission has been obtained from all individuals on the list, it cannot be used to send messages containing commercial content; for example, a fundraiser to support a Christmas hamper.

Requirements for Messages Containing Commercial Content

- Any electronic message that contains commercial content must contain the following:
 - Clear identification of who has sent the message, including name, address, phone number and email address.
 - An "unsubscribe" option – a method for the receiver to request that their name be removed from the list.

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Legal References:

Monitoring Method: *Board of Education / Superintendent*

Monitoring Frequency:

Previous Policy Number: AP105

Adopted: 2014.09.05

Amended: 2025.01.17