Bulk Email - CAN-SPAM Compliance

Email that is sent for commercial purposes such as donor requests or invitations to educational programs must comply with the CAN-SPAM Act. To ensure your communications are legal please make sure you comply with the following:

1. The header of the commercial email (indicating the sending source, destination and routing information) doesn’t contain materially false or materially misleading information;
2. The subject line doesn’t contain deceptive information;
3. The email provides “clear and conspicuous” identification that it is an advertisement or solicitation;
4. The email includes some type of return email address, which can be used to indicate that the recipient no longer wishes to receive spam email from the sender (i.e. to “opt-out”);
5. The email contains “clear and conspicuous” notice of the opportunity to opt-out of receiving future emails from the sender;
6. The email has not been sent after the sender received notice that the recipient no longer wishes to receive email from the sender (i.e. has “opted-out”); and
7. The email contains a valid, physical postal address for the sender.

It is important to understand that, while the usual meaning of “spam” is email sent in bulk to recipients who didn’t ask for it, the CAN-SPAM Act (despite its name) regulates ALL commercial email, whether sent individually or in bulk. The act defines commercial email as “any electronic mail message the primary purpose of which is the commercial advertisement or promotion of a commercial product or service (including content on an Internet website operated for a commercial purpose).” Messages that are transactional, such as an electronic receipt for a purchase, are exempt.

Any type of unsolicited promotional email sent by Furman is “commercial email”, and must comply with the CAN-SPAM Act. For more information see this Wikipedia article.