

Title  
Electronic Signatures  
Code  
925  
Status  
NEW Proposed  
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## **Purpose**

Under certain conditions, electronic records and signatures satisfy the requirements of a manual record and/or signature when transacting business. The Board recognizes that the effectiveness of electronic records and signatures depends upon the authenticity and reliability of the signatures and the context in which the electronic records are created, transferred, and stored. Therefore, the Board adopts this policy to allow for the use of and acceptance of electronic records and signatures and to establish the guidelines under which electronic signatures may be utilized by the District, District staff, parents/guardians and students.[\[1\]](#)

## **Authority**

The Board authorizes the use of electronic signatures in place of manual signatures to conduct District business unless a manual signature is required by law or regulations. Electronic signatures shall have the full force and effect of a manual signature when used in accordance with this policy and applicable law and regulations.[\[1\]](#)

Electronic records filed with or issued by the District shall have the full force and effect of paper records when the requirements of this policy and applicable law and regulations are satisfied.[\[2\]](#)[\[3\]](#)[\[4\]](#)

This policy applies to the use of electronic records and signatures when permitted or required in connection with District programs and operations both internally and with outside organizations. This policy also applies to student records.

## **Definitions**

**Electronic record** – any record created, generated, sent, communicated, received, or stored by electronic means.[\[4\]](#)[\[5\]](#)[\[6\]](#)

**Electronic signature** – an electronic sound, symbol or process attached to or logically associated with a single record and executed or adopted by a person with the intent to sign the record. More simply, it is a paperless means of committing to a contract or other document in a manner that indicates the signer’s intent to bind themselves and/or the District.[\[5\]](#)[\[6\]](#)

## **Delegation of Responsibility**

The Superintendent or designee may develop administrative regulations to direct staff on the parameters for authorized use of electronic signatures related to District programs and operations.

## **Guidelines**

### Electronic Recordkeeping for District business

The maintenance of electronic records and signatures by the District shall comply with the electronic recordkeeping requirements of state and federal laws and regulations and the District's Records Management Plan.[4][7]

Electronic records created or received by the District shall be appropriately attributed to the individual(s) responsible for their creation, authorization and/or approval.

The District may specify the type of electronic signature required on an electronic record, the manner and format in which the electronic signature must be affixed to the electronic record, and the criteria that must be met when an individual uses a third party to file a document if electronic records must be signed by electronic means.[8]

The District shall implement and maintain electronic recordkeeping systems to securely receive, store, and reproduce electronic records and signatures relating to transactions in their original form.[6][9][10]

Such a system shall allow the District to implement:

1. A security procedure for the purposes of verifying that an electronic signature is that of a specific person or for detecting changes or errors in the information in an electronic record.
2. Appropriate control processes and procedures to ensure adequate preservation, disposition, integrity, security, confidentiality and auditability of electronic records.[8]
3. A consistent manner and format in which the electronic records must be created, generated, sent, communicated, received and stored.[8]

### Electronic Signatures for District business

An electronic signature may be used if the law requires a signature unless there is a specific law, regulation, or order that requires records to be manually signed. The issuance and/or acceptance of an electronic signature by the District shall be permitted in accordance with the provisions of this policy and all applicable state and federal laws and regulations. Such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:[1][2][11]

1. The signing individual is authorized to manually sign the document on behalf of the District.

2. The electronic signature identifies the individual signing the document by their name and position.
3. The individual signing with an electronic signature has signed a statement of exclusive use.
4. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail.
5. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been applied.
6. The electronic signature conforms to all other provisions of this policy.

The District shall maintain a secure log of each individual authorized to utilize an electronic signature in connection with district business.[4]

This policy does not require a specific method for executing an electronic signature. The individual signing a particular document is responsible for verifying that the method chosen is appropriate for the nature of the transaction. Individuals must consider confidentiality, authentication of signatures, and verification that the document signed is, in all respects, identical to the one to which the signer intends to bind the district.

Any electronic signature that appears to be forged, altered, or otherwise not authentic, or that is not compliant with law or regulation, this policy or related administrative regulation, is not a valid signature. Should an electronic signature be deemed invalid, the Superintendent or designee may require a manual signature.

All other policies that apply to the execution of contracts or other documents on behalf of the District remain in full force and effect.

#### Electronic Signatures for Parents/Guardians and Students

An electronic signature may be used unless there is a specific law, regulation, or order that requires records to be manually signed. The issuance and/or acceptance of an electronic signature by the parent/guardian or student shall be permitted in accordance with the provisions of this policy and all applicable state and federal laws and regulations. Such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:[\[1\]](#)[\[2\]](#)[\[11\]](#)

1. The parent/guardian or student has been given the option to opt out of electronic signatures and has chosen to receive documents by email.
2. The District has verified the correct e-mail address for the parent/guardian or student.
3. The parent/guardian or student has received a copy and has been made aware of the record that is to be signed.
4. The identity-of the parent/guardian or student has been verified.

5. The District sends all electronic communication requesting a parent/guardian or student signature in the preferred language of the parent/guardian.
6. One e-signature is required for each unique record.
7. Each record to be signed by the parent/guardian or student will be sent individually and the record where the signature will be attached will be clearly visible.
8. The parent/guardian or student must be informed of their right to request a copy of the signed record and given instructions on how to do so.

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Legal References

1. 73 P.S. 2260.101 et seq
2. 15 U.S.C. 7001 et seq
3. 73 P.S. 2260.301 et seq
4. Pol. 800
5. 15 U.S.C. 7006
6. 73 P.S. 2260.103
7. Pol. 815
8. 73 P.S. 2260.502
9. 73 P.S. 2260.305
10. 73 P.S. 2260.306
11. 21 P.S. 483.1 et seq

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