



Book	Policy Manual
Section	800 Operations
Title	Electronic Signatures (Electronic Transactions, Records and Signatures) - REVISED / Reviewed by Stock and Leader
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## **Purpose**

The Spring Grove Area School District wishes to promote effective and efficient use of electronic communications to conduct business. Under certain conditions, electronic records and signatures satisfy the requirements of a written signature when transacting business. Although all electronic signatures are represented digitally, they can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic records and signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, signed and stored. The ~~Board district~~ adopts this policy with respect to the use of electronic records and signatures in connection with the transaction of district business. This includes the School-Based ACCESS Program (SBAP).

## **Definitions**

**Electronic Signature** - an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.[\[1\]](#)

**Electronic Records** – any record created, generated, sent, communicated, received, or stored by electronic means.

**School-Based ACCESS Program** - a program that allows Local Education Agencies (LEAs) to receive Medicaid reimbursement for IEP medically necessary health-related services provided to students who are eligible for Medical Assistance (MA).

## **Authority**

As permitted under the SBAP, electronic signatures may satisfy the requirements of a written signature of SBAP provider logs. The Board recognizes that the authenticity and reliability of electronic signatures are dependent on the processes accompanying the use of such signatures.

Therefore, 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 regulation. 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.

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.

This policy applies to the use of electronic records and signatures when permitted or required in connection with District programs and operations.

### **Delegation of Responsibility**

The Superintendent or designee may develop administrative procedures necessary to implement this policy.

### **Guidelines**

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 signed in non-electronic form. 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.

For documents to be signed electronically by parents, including but not limited to required forms under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and Gifted Individualized Education Programs, a parent/guardian must understand and agree to the carrying out of the activity for which the parent/guardian's consent is sought.

Electronic signatures will have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by his/her name and title;
2. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;
3. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail; and
4. The electronic signature conforms to all other provisions of this policy.

5. The signing employee is authorized to manually sign the document on behalf of the District.

6. The individual signing with an electronic signature has signed a statement of exclusive use.

The district may develop and maintain an electronic record keeping system that can receive, store, and reproduce electronic records and signatures relating to transactions in their original form. Such system will include security procedures whereby the district can:

1. Verify the attribution of a signature to a specific individual;
2. Detect changes or errors in the information contained in a record submitted electronically;
3. Protect and prevent access, alteration, manipulation or use by an unauthorized person; and
4. Provide for non-reproduction through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The district will receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic, and conforms to all other provisions of this policy.

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.

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.

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.

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.
3. A consistent manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored.

The district will not accept electronic signatures on student records including, but not limited to, absence excuses from parents, educational trip requests, and certain documents related to sections of the Individuals with Disabilities Education Act, such as ADAAA504, and Chapters 14, 15, and 16. Board Policy 204 stipulates the requirements necessary for the acceptance of student absence excuses from health care providers.

The district will maintain a secure hard copy log of the PIN/password or actual signature of any individual authorized to provide an electronic signature in connection with the SBAP.

Provisions:

This policy does not require a specific method for executing an electronic signature. The employee signing a particular document is responsible for verifying that the method chosen is appropriate for the nature of the transaction.

Employees 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.

Legal

1. 15 U.S.C. 7006

73 P.S. 2260.101 et seq

15 U.S.C. 7001 et seq

Pol. 204