LENAPE AREA VOCATIONAL TECHNICAL SCHOOL

SECTION: OPERATIONS

TITLE: ELECTRONIC SIGNATURES/RECORDS

ADOPTED: June 17, 2021

REVISED:

800.1 ELECTRONIC SIGNATURES/RECORDS

1. Purpose

Under certain conditions, electronic records and signatures satisfy the requirements of a manual record and/or signature when transacting business. The Joint Operating Committee recognizes that the effectiveness of electronic 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 Joint Operating Committee adopts this policy to allow for the use of and acceptance of electronic records and signatures to establish the guidelines under which electronic signatures may be utilized by the school. [1]

2. Authority

The Joint Operating Committee authorizes the use of electronic signatures in place of manual signatures to conduct school business unless a manual signature is required by law or regulations. Electronic signatures shall have 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 school 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 school programs and operations.

3. 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 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 school. [5] [6]

4. Delegation of Responsibility

The Administrative Director or appropriate personnel designated by the Administrative Director shall develop administrative regulations to direct staff on the parameters for authorized use of electronic signatures related to school programs and operations.

5. Guidelines	Electronic Recordkeeping The maintenance of electronic record keeping and signatures by the school shall comply with the electronic recordkeeping requirements of state and federal laws and regulations and the School's Records Management Plan. [4] [7] Electronic records created or received by the school shall be appropriately attributed to the individuals responsible for their creation, authorization and/or approval. The school 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 school shall implement and maintain electronic recordkeeping systems to securely receive, store, and reproduce electronic records and signatures relating to transactions n their original form. [6] [9] [10] Such a system shall allow the school 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 An electronic signature may be used if the law requires a signature unless there is a specific law, regulation, or order that requires records be manually signed. The issuance and/or acceptance of an electronic signature by the school 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] [12] 1. The signing employee is authorized to manually sign the document on behalf of the school. 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 conforms to all other provisions of this policy.

The school shall maintain a secure log of each employee authorized to utilize an electronic signature in connection with school business, along with a copy of their unique electronic signature. [4]

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 is signed is, in all respects, identical to the one to which the signer intends to bind the school.

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 Administrative Director or appropriate personnel designated by the Administrative Director may require a manual signature.

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

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
12. Pol. 716