



SECTION: OPERATIONS

POLICY: 829

TITLE: ELECTRONIC SIGNATURES

ORIGINAL: December 9, 2013

CURRENT REVISION: April 5, 2021

**LAST REVIEWED BY THE
COMMITTEE:**

I. PURPOSE

Under certain conditions, electronic records and signatures satisfy the requirements of a written signature in communications involving student services, including but not limited to special education. The Wissahickon School District (“the District”) seeks to promote effective and efficient use of electronic communications in order to facilitate communication in student services. 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 communications are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, signed and stored. This Policy shall be limited to communication involving student services, including but not limited to special education. This Policy shall not apply to financial or other business transactions of the District. The District adopts the following policy with respect to the use of electronic records and signatures in connection with communications involving student services, including but not limited to special education.

II. DEFINITIONS

- A. **Attribution** - An electronic record or electronic signature is attributable to a person if it was the actual act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.
- B. **“Electronic Signature”** - An electronic writing, 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.
- C. **“Electronic Record”** - any record created, generated, sent, communicated, received or stored by electronic means.

III. POLICY

A. Electronic Records

- a. Electronic records created or received by the District involving student services, including but not limited to special education, shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The District shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the District

involving student services, including but not limited to special education, shall be given full force and effect of a paper communication if all of the following conditions are satisfied:

- i. The communication is an electronic filing or recording and the District agrees to accept or send such communication electronically; and
- ii. If a signature is required on the record or communication by any statute, rule or other applicable law or District policy, the electronic signature must conform to the requirements set forth in this policy governing the acceptability and use of electronic signatures.

B. Electronic Signatures

- a. An electronic signature may be used in communications involving student services, including but not limited to special education, if the law requires a signature unless there is a specific statute, 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 in such communications shall be permitted in accordance with the provisions of this policy and all applicable state and federal law. Such electronic signature shall have the full force and effect of a manual signature only if it satisfies all of the following requirements:
 - i. The electronic signature identifies the individual signing the document by his/her name and title;
 - ii. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;
 - iii. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed; and
 - iv. The electronic signature conforms to all other provisions of this policy.
- b. Acceptance, Use and Issuance of Electronic Records and Signatures
 - i. The District shall develop and maintain an electronic recordkeeping system that can receive, store and reproduce electronic records and signatures relating to communications involving student services, including but not limited to special education, in their original form. Such system shall 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-repudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.
- c. The District shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until all legally mandated retention requirements are satisfied.
- d. The District shall designate individuals who are authorized to utilize an electronic signature in connection with the District communications in matters involving student

services, including but not limited to special education, and shall require each designated individual to sign a statement of exclusive use.

- e. The District shall 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 these communications.
- f. The District will receive and accept electronic records and signatures as originals, so long as the communication, on its face, appears to be authentic.
- g. The District will retain in its records this policy and all statements of exclusive use, until all legally mandated retention requirements are satisfied.

IV. DELEGATION OF AUTHORITY

None.

V. REFERENCES

Pennsylvania Electronic Transactions Act, 73 P.S. § 2260.101 et seq.
U. S. Electronic Signatures in Global and National Commerce Act, Public Law 106-229, 15 U.S.C. § 7001 et seq.