

Use of Electronic Signatures

Section 1. Purpose. This policy, consistent with Board Policy 2001, establishes when an electronic signature may replace a written signature in official School Corporation activities.

Section 2. Scope. This policy applies to all members of the School Corporation community and governs all uses of electronic signatures used to conduct the official business of the School Corporation. Such business shall include, but not be limited to, electronic communications, transactions, contracts, student/parent records/reports, grant applications and other official purposes.

Section 3. Limitation. This policy shall not be interpreted to authorize the use of electronic signatures in situations where the use of electronic signatures is expressly prohibited by federal or state law or expressly prohibited by rules, regulations, or instructions adopted or issued by either the United States Department of Education or the Indiana Department of Education.

Section 4. Definitions. The following definitions apply to the interpretation, application and implementation of this policy:

1. An “electronic signature” is an electronic sound, symbol, or process, attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign a record.
2. An “electronic record” is a record created, generated, sent, communicated, received, or stored by electronic means.
3. “Electronic” relates to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
4. An “approved electronic signature method” is one that has been approved by the Superintendent in accordance with this policy and all applicable federal and state laws and which specifies the form of the electronic signature, the systems and procedures used with the electronic signature, and the significance of the use of the electronic signature.

Section 5. Signature Required by School Corporation Policy. A School Corporation policy requirement that a record have the signature of a specific individual or other responsible person is met when the electronic record has associated with it an electronic signature using an approved electronic signature method.

Section 6. Signature Required by Law. A legal requirement, beyond School Corporation policy, that a record have the signature of a specific individual or other responsible person is met when the electronic record has associated with it an electronic signature using an approved electronic signature method which also complies with Indiana or federal law.

Section 7. Criteria for Approving Electronic Signature Methods. In determining whether to approve an electronic signature method, the Superintendent shall consider the systems and procedures associated with using that electronic signature, and whether the use of an electronic signature is at least as reliable as the existing signature method being used. In approving a specific electronic signature method, the Superintendent may limit the use of that electronic signature method to particular records, particular classes of records or particular departments or schools. An electronic signature used outside of its limitations will not be considered valid by the School Corporation.

Section 8. Revoking Approval of an Electronic Signature Method. The Superintendent shall revoke the approval of the use of a particular electronic signature method if it is determined that the method is no longer trustworthy.

Section 9. Mutual Agreement Required. No party or individual may be required to use an electronic signature in place of a manual signature when the use of the electronic signature has potential legal consequences.

Section 10. Disclaimer. The signing of a School Corporation record using an approved electronic signature method does not mean that the record has been signed by a person authorized to sign or approve that record. Appropriate procedures must be used to confirm that the person signing the record has the appropriate authority.

Section 11. Sanctions. Any individual or party that makes inappropriate or illegal use of electronic signatures is subject to sanctions up to and including suspension, termination and criminal prosecution.