

NORTHERN WESTMORELAND CAREER AND TECHNOLOGY CENTER

No. 829-800.1

SECTION: OPERATIONS
TITLE: ELECTRONIC
RECORDS/SIGNATURES
ADOPTED: September 17, 2020
REVISED: February 17, 2022

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 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 Joint Operating Committee adopts this policy to allow the use of and acceptance of electronic records and signatures and to establish guidelines under which electronic signatures may be utilized by the center.

Authority

The Joint Operating Committee authorizes the use of electronic signatures in place of manual signatures to conduct center 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.

Electronic records filed with or issued by the center 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 center programs and operations.

Definitions

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

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 center.

800.1. ELECTRONIC RECORDS/SIGNATURES

Delegation of Responsibility

The Administrative Director or designee shall develop administrative regulations to direct staff on the parameters for authorized use of electronic signatures related to center (school) programs and operations.

Guidelines

Electronic Recordkeeping

The maintenance of electronic records and signatures by the center shall comply with the electronic recordkeeping requirements of state and federal laws and regulations and the center(school)'s Records Management Plan.

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

The center 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 center 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 center 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.

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 to be manually signed. The issuance and/or acceptance of an electronic signature by the center 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:

800.1. ELECTRONIC RECORDS/SIGNATURES

1. The signing employee is authorized to manually sign the document on behalf of the center.
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 center shall maintain a secure log of each employee authorized to utilize an electronic signature in connection with center business,

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 center.

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 designee may require a manual signature.

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

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Legal

73 P.S. 2260.101 et seq

15 U.S.C. 7001 et seq

73 P.S. 2260.301 et seq

Pol. 800

15 U.S.C. 7006

73 P.S. 2260.502

73 P.S. 2260.305

73 P.S. 2260.306

21 P.S. 483.1 et seq

Pol. 716