

Introduction

Under certain conditions electronic records and signatures satisfy the requirements of a written signature when transacting business. The Olympia School District is committed to promoting effective and efficient use of electronic communications to conduct business.

Purpose

To provide guidance for all Olympia School District (hereafter referred to as "The District") employees which have or will implement electronic signatures for conducting District business.

Detailed Policy Statement

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 Olympia School District adopts the following guidelines with respect to the use of electronic records and signatures in connection with the transaction of District business.

Electronic Records

Electronic records created or received by the Olympia School District 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 shall be given full force and effect of a paper communication when the following conditions are satisfied:

1. The communication is an electronic filing or recording and the District agrees to accept or send such communication electronically; and
2. 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 guidance governing the use of electronic signatures.

Electronic Signature

1. An electronic signature may be used if the law requires a signature unless there is a specific statute, regulation, or rule of law 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 law.

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:

2. The electronic signature identifies the individual signing the document by his/her name and title;

3. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail; Electronic Signature Policy (Information Technology Services Department verification methods)

4. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;

5. The electronic signature conforms to all other provisions of this guidance.

Acceptance, Use and Issuance of Electronic Records and Signatures

The District shall develop and maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to transactions in their original form. Such system shall include security procedures whereby the District can (a) verify the attribution of a signature to a specific individual, (b) detect changes or errors in the information contained in a record submitted electronically, (c) protect and prevent access, alteration, manipulation or use by an unauthorized person, and (d) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The District shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The District shall designate individuals and/or entities who are authorized to utilize an electronic signature in connection with District business and shall require each designated individual to sign a statement of exclusive use.

The District shall maintain a secure log of any individual and/or entities authorized to provide an electronic signature in connection with District business.

The District will receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic.

The District will retain in its records this policy and all statements of exclusive use, until such time as all legally mandated retention requirements are satisfied.

For additional information, refer to District Policies & Procedures, Section 5000
Series-Personnel: 5002, 5254-Electronic Information Systems Networks, 5254P-OSDNet
Acceptable Use Procedures

Applicability

This policy applies to all individuals who are affiliated with the District, whether paid or unpaid, including but not limited to teachers, staff, students, parents/guardians, affiliates, vendors, associates and volunteers. This guidance may require members of the District to conduct transactions electronically and to formally acknowledge their agreement to District transactions in which they are parties by affixing an e-signature.

Definitions

“Attribution” – An electronic record or electronic signature is attributable to a person if it was the 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.

“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.
Electronic Signature Policy (ITP015)

Information Technology Services Department

Electronic Signature Guidance

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

Washington State Archives

Olympia School District Business Services and Technology Departments

Related policies and Procedures

<http://www.sos.wa.gov/archives/recordsmanagement/state-agencies-records-retention-schedules.aspx>

Legal References:

Secretary of State Electronic Transactions Act,

1 RCW 19.360.010 2 RCW 19.360.020 3 RCW 19.360.040 4 RCW 19.360.050 5 RCW 19.360.020(2)

U.S. Electronic Signatures in Global and National Commerce Act, Public Law 106-229, 15

U.S.C. § 7001 et seq.