



August 23, 2022

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

Approval of the Policy Regarding Use of Electronic Signatures

Recommendation: That the School Committee approve the policy on the use of electronic signatures as detailed in the attached document.

This is a second reading of this policy.

Description: In order to set some clear parameters regarding the use and collection of electronic signatures by the school department and in order for the school department to be able to utilize electronic signatures in connection with the Medicaid reimbursement process, it is necessary to have adopted policies and procedures around verification, safety and security of electronic signatures in place.

Supporting Data: Policy Regarding Use of Electronic Signatures

Respectfully submitted,

Victoria L. Greer, PhD
Superintendent of Schools

Policy Regarding Use of Electronic Signatures

The Cambridge School Committee recognizes the growing prevalence of the use of electronic signatures in recent years. Using electronic signatures reduces the burden on both the individual signing the document and the entity responsible for its filing. When conducted properly, electronic signatures are a legally binding alternative to written signatures. Accordingly, the Cambridge School Committee authorizes the Cambridge Public Schools (“CPS”) use of electronic signatures for those instances when it is not practical or possible to have an individual physically sign a document, except for when use of an electronic signature is prohibited by law. Additionally, the Cambridge School Committee authorizes CPS’ use of electronic signatures by parents/guardians/caregivers when the authenticity and reliability of such electronic signature(s) meets the requirements and provisions of this policy.

An “electronic signature” is any “electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.” 15 U.S.C. § 7006(5).¹

As there is a potential for misuse or abuse when using electronic signatures, the requirements set forth below must be adhered to in order for an electronic signature to be accepted as valid. These requirements are meant to ensure the appropriate use of electronic signatures and maintain the security, privacy, and integrity of those individuals signing a document electronically:

- The electronic signature identifies the individual signing the document by their full name and title, if applicable;
- The identity of the individual signing the document with an electronic signature is capable of being verified and validated through the use of an audit trail.
- The electronic signature as well as the documents to which it is affixed cannot be altered once the electronic signature is affixed. If the document needs to be altered, a new electronic signature must be obtained.
- The electronic signature appears to be authentic and unique to the individual purporting to sign the document and CPS is unaware of any reason to believe that the electronic signature has been forged or is otherwise fraudulent;
- There is no reason for CPS to believe that the document to which the electronic signature is affixed has been altered subsequent to the execution of the electronic signature;
- The electronic signature conforms to all other provisions of this policy.

CPS shall maintain all electronically signed records in a manner that is consistent with federal and state law and regulations and CPS’ retention policies and procedures. The electronic recordkeeping system must be able to receive, store and reproduce accurate and complete electronic records and signatures in their original form. The electronic recordkeeping system

¹ https://www.law.cornell.edu/wex/electronic_signature

should include security procedures whereby CPS can (i) verify the attribution of a signature to a specific individual, (ii) detect changes or errors in the information contained in a record submitted electronically, (iii) protect and prevent access, alteration, manipulation or use by an unauthorized person, and (iv) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic signature is not valid.

CPS staff may periodically audit the authenticity of electronic signatures via security procedures including without limitation, making a follow up inquiry to the individual who has submitted the electronic signature.

Should it be discovered that an electronic signature has been forged or is otherwise fraudulent, the document shall be deemed unenforceable. Abuse of the electronic signature requirements or the forging or fraudulent use of electronic signatures by any CPS employee or student may serve as grounds for disciplinary action. Additionally, should it be discovered that a student falsified a parent/guardian/caregiver's electronic signature on an official CPS document, CPS administrators are authorized, at their discretion to thereafter only accept manual signatures associated with any submitted school document.

At any time, the Superintendent or designee may, at their discretion, request that an original of a document be signed manually by hand and be forwarded to CPS in a timely manner.

Date issued: