

### **C.2.11.3 (Procedure) Digital Signatures**

Responsible Department: Legal Services

Based on Board Policy: [C.2.11](#) - Legal Services

Approved: 2-27-12

Last Amended:

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#### **Purpose**

To facilitate efficient operations, reduce institutional costs, and provide administrative flexibility.

#### **Internal use of Digital Signatures**

The College District may use digital signatures to sign electronic documents among and between College District campuses and departments.

#### **Application**

This procedure applies to electronic documents created within the College District. This procedure **does not apply** to transactions, including agreements, as defined in Procedure [C.2.11.2](#).

Examples include:

1. Internal Finance and Fiscal Services forms;
2. Internal Human Resources forms;
3. Board of Trustees Minute Orders;
4. Internal reports;
5. Internal correspondence; and
6. Fulfillment of Board Policy requirements where a written signed document is required (however, note that the requirements of the applicable policy and corresponding procedure must be followed in all other respects, such as time constraints and addressee requirements).

#### **Definitions**

“**Digital**” or “**Electronic**” relates to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities. The terms are synonymous for the purposes of this procedure.

**Digital signature** means an electronic symbol, or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document. It is important to note that a scanned handwritten signature alone does not constitute a digital signature.

**Electronic document** means words or images that are created, generated, sent, communicated, received or stored by electronic means.

**Electronic record** means a record created, generated, sent, communicated, received or stored by electronic means.

**Local Government record data** means the information that by law, regulation, rule of court, ordinance, or administrative procedure in a local government comprises a local government record as defined by TX Local Government Code Chapter 201, Section 201.003.

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**Record** means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

#### **Procedure**

The College District uses Microsoft® SharePoint® software to process the review and execution of forms and other documents.

Each employee shall create and use a digital signature following the instructions in the Adobe® Acrobat® software.

General instructions are here:

[http://help.adobe.com/en\\_US/Acrobat/9.0/Standard/WS58a04a822e3e50102bd615109794195ff-7d4a.w.html](http://help.adobe.com/en_US/Acrobat/9.0/Standard/WS58a04a822e3e50102bd615109794195ff-7d4a.w.html).

Employees can also consult the help files installed with the Adobe® Acrobat® software.

Adobe® Acrobat® digital signatures are sufficient where identity is trusted, such as for internal documents. If there is any doubt about the signer's identity, seek and document confirmation of identity, such as through electronic mail or through an Adobe® Acrobat® security procedure or other authentication capabilities.

Route electronically signed documents through electronic mail, electronic fax, or SharePoint®.

#### **Electronic Records Management**

The College District shall ensure that all local government record data it creates and receives, as well as any information resources necessary to permit access to the written electronic communications, are retained as necessary to comply with applicable laws pertaining to records retention and audit requirements.

This procedure does not supersede Procedure [C.2.11.2](#).

This procedure does not supersede situations where laws specifically require a written signature.

The use of digital signatures is subject to criminal laws pertaining to fraud and computer crimes, including Chapters 32 and 33 of the Texas Penal Code.

#### **Legal References**

TX Education Code Chapter 51, Sec. 51.9336

TX Local Government Code Chapter 201

TX Local Government Code Chapter 205