

C.04 – Electronic Signatures

Electronic or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. El Camino Real Academy allows for the use of electronic signatures on certain documents used for the operation of the school.

El Camino Real Academy permits the acceptance of electronic signatures on certain forms and records that must be filed with the school, as determined by the Director and his/her designee. Pursuant to the New Mexico Electronic Transactions Act "electronic signature" means 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.

An electronic signature is considered to be attached to or logically associated with an electronic record if the electronic signature is linked to the record during the transmission and storage. An electronic signature may be used unless there is a specific statute, regulation or policy that requires records or forms to be signed in non-electronic (manual) form. If electronic signatures are permitted on a particular form or record, such electronic signature shall have the full force and effect of a manual signature if the electronic signature satisfies the following requirements:

The electronic signature identifies the individual signing the document by his/her name and title (if applicable);

The signer has the opportunity to review the entire document or content to be signed;

The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;

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

El Camino Real Academy shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. This system should include security procedures whereby the school 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 authorized 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

El Camino Real Academy 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.

No person or entity shall be required to use an electronic record or electronic signature unless provided by law.

This policy applies to parents/guardians of students attending El Camino Real Academy. It also applies to individuals affiliated with the school including, but not limited to teachers, administrators, staff, students, and volunteers.

Responsible Persons: Executive Director, Business Manager

References

Legal Cross Ref.:

- §14-16 NMSA 1978

Procedural Directive Cross Ref.:

- Employee Handbook
- Parent/Student Handbook

Revision approved: