

The board should choose one of the following options:

☐ **OPTION A**

Soda Springs School District No. 150 will not issue or accept electronic records or electronic signatures as defined below.

DEFINITIONS

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

"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.

☐ **OPTION B**

Soda Springs School District No. 150 recognizes electronic records and electronic signatures and adopts the following policy.

DEFINITIONS

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

"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.

ELECTRONIC SIGNATURES

The district accepts electronic signatures as legally binding and equivalent to handwritten signatures to signify an agreement if the electronic signature is attributable to the person with authority to sign the record and conforms to the requirements of the law and this policy.

ELECTRONIC RECORDS

Any electronic record filed with or issued by the district will be given the full force and effect of a paper record if a signature is required on the record and the electronic signature conforms to the requirements of the law and this policy.

RULES FOR ACCEPTING, USING, AND ISSUING ELECTRONIC SIGNATURES AND RECORDS

In accordance with Idaho Code 28-50-101, this district adopts the following rules for accepting, using, and issuing electronic signatures and records:

1. *The superintendent or designee is authorized to issue an electronic signature in his or her name.*
2. *The superintendent or designee is authorized to determine whether, and to what extent, the district will send and accept electronic records and electronic signatures, and otherwise create, generate, communicate, store, process, use and rely upon electronic records and electronic signatures.*
3. *The superintendent or designee, giving due consideration to security, may specify:*
 - a. *The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored; and the systems established for those purposes.*
 - b. *The type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of or criteria that must be met by any third party used by a person filing a document to facilitate the process.*
 - c. *Control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality and auditability of electronic records.*
4. *The district will accept and issue electronic records only if such records conform to any formatting requirements associated with them.*
5. *Electronic signatures may be used to satisfy notary requirements, but only if the electronic signature of the notary or other authorized person is attached to or logically associated with a record of all of the information, such as a form of attestation, recitals, or identifying information about a notary, that is required to be provided under applicable law.*
6. *The superintendent or designee may, at his or her discretion, request that an original of the electronic record and/or electronic signature be forwarded to the district in a timely manner.*
7. *When necessary or practical, paper copies will be made of electronic records and stored in a manner and time frame consistent with the nature and purpose of the communications, and with all other district policies, regulations, statutes, and rules that may apply.*

8. *The superintendent or designee is authorized to establish additional rules associated with accepting, using, and issuing electronic records.*
9. *Individuals who falsify electronic records or electronic signatures are subject to disciplinary action, up to and including termination of employment and criminal prosecution.*

This policy does not limit the district's right or option to conduct a district transaction on paper or in non-electronic form.



LEGAL REFERENCE:

Idaho Code Section 28-50-101, *et seq.* – Uniform Electronic Transactions Act

ADOPTED:

AMENDED:

First Reading: December 17, 2014

**Language in text set forth in italics is optional.*