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: 11-29-17

Purpose

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

Use of Digital Signatures and Digital Documents and Records

The College District may use digital signatures to sign internal and external electronic documents and records and may store documents and records, including contracts, digitally.

Application

This procedure applies to all electronic documents and records created or received by the College District.

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 an electronic document or record and executed or adopted by a person with the intent to sign the document or record.

"Document" means recorded information that is inscribed on a tangible medium or that is stored in an electronic or other medium which can be treated as a unit and is retrievable in perceivable form.

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 Section 201.003.

Record means recorded information, regardless of medium or characteristics, made or received by an organization in pursuance of legal obligations or in the transaction of business.

Procedure

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

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 (including, without limitation, TX Local Government Code Chapter 205) and audit requirements.

This procedure does not supersede Procedure C.2.11.2.

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 Sec. 51.9336
TX Business & Commerce Code Chapter 322
TX Local Government Code Chapter 201
TX Local Government Code Chapter 205