



Policy & Procedure No. 5.003a  
**Nunez Community College**

**Title: Acceptance and Distribution of Electronic Records and Signatures**

**Effective Date: 01-17-2020**

**Last Revision Date:  
Cancellation:**

**Department/Office: Business Affairs**

*Acceptance and Distribution of Electronic Records and Signature*

**PURPOSE**

The purpose of this policy is to permit electronic signatures for College business by authorizing the implementation and acceptance of practical and secure methods consistent with the Louisiana Uniform Electronic Transactions Act, La. R.S. 9:2601, and R.S. 9:2618.

**SCOPE**

This policy applies to all individuals affiliated with the College, whether paid or unpaid, including but not limited to faculty, staff, students, and associates. This policy permits members of the College community to conduct College transactions electronically and to formally acknowledge their agreement to College internal or external transactions in which they are parties or the authorized representative of the College by affixing an Electronic Signature as defined below. The College may, at its discretion or as required by law, opt out of conducting any transaction electronically.

**DEFINITIONS**

**Agreement:** any written form of documentation legally obligating the parties to a particular transaction, also referred to as a contract, which may include language related to pricing, deliverables, statement of work, insurance, indemnification, rights and responsibilities of either party.

**Authentication:** a system or process which confirms the identity of the person purporting to sign an Electronic Record or otherwise conducting an electronic transaction. The College requires the use of an approved authentication method.

**Authorization:** when an individual has verified approval and the requisite authority, or specifically delegated authority, to sign an Electronic Record, access specific electronic College services, and/or perform certain operations, including the execution of Agreements to bind the College, subject to the



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contract approval procedures in Louisiana Community & Technical College System (LCTCS) Policy 5.003.

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

**Electronic Signature:** 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 an Electronic Record.

**Electronic Signature Methods:** The Authentication methods approved by the College by which the identity of the signatory using an Electronic Signature is verified.

**GENERAL POLICY**

To the extent allowed by the applicable laws, regulations and policies, the College will permit the use of an Electronic Signature and will accept an Electronic Signature as the legally binding and equivalent to a handwritten signature to bind an Agreement with the College. Electronic signature methods of may take the form of:

1. A scanned ink signature;
2. A signature captured using a digital pen or pad;
3. An image of a prior signature applied by software (such as Adobe);
4. An encrypted certificate with a signature and additional information;
5. A signature applied by a third-party web platform used by the College in the ordinary course of business; or
6. Any other form deemed acceptable by the Chancellor or designee on a case-by-case basis.

Nothing in this policy permits the execution of documents on behalf of the College, electronic or otherwise, without Authorization. This policy does not limit the College's right or option to require that an Agreement involving the College be conducted on paper or in non-electronic form, nor does it limit the College's right or obligation to have documents be provided or made available on paper when required by applicable policies, laws, or regulations.

College employees who originate Electronic Records which require an Electronic Signature shall use the designated Electronic Signature Methods. It is a violation of this policy for an individual to enter an Electronic Signature without Authorization, i.e. as per the definition above - unless authorized or authority has been specifically delegated. Except as limited by the LCTCS Board of Supervisors, the Chancellor may delegate signature authority to college personnel where necessary or appropriate for the effective administration of the College.



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A signature designee may not permanently further delegate signature authority. The Vice Chancellor of Finance and Administration will maintain a list of those persons with signature authority as delegated by the Chancellor to ensure compliance with LCTCS policies.

Employees with signature authority as well as departments shall retain all Electronic Records with Electronic Signatures for the same period required for paper records pursuant to the College records retention schedule.

Retention requirements are based on the function and content of the records rather than on the format. Any individual who falsifies an Electronic Signature or otherwise knowingly violates this policy is subject to disciplinary action, including and not limited to termination of employment and/or potential criminal prosecution under applicable federal, state, and local laws.

The following documents are specifically excluded from this policy, and so are any other documents as excluded by law, regulations, and other policies.

- A. Agreements requiring review and approval by the State of Louisiana’s Office of State Procurement, Division of Administration
- B. Agreements for the purchase, sale or transfer of real estate or immovable property
- C. Authentic acts or documents requiring a notary
- D. Construction agreements

X	Reviewing Council/Entity	Review Date	Effective Date
X	Business Affairs	01-16-2020	01-17-2020
X	College Compliance Committee	01-16-2020	01-17-2020
X	Chancellor’s Council	01-17-2020	01-17-2020

*Policy Referenced: LCTCS and NCC Policy# 5.003*

*Distribution:* Distributed Electronically via College’s Internet 01-21-2020

***Chancellor’s Signature/Approval***

SIGNATURE: 

DATE: 01-17-2020

Tina M. Tinney, Ed.D.  
Chancellor