

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION

SUBJECT: School-Based Access Program Services and use of Electronic Signatures

TO: School District Superintendents
School District Special Education Administrators
Intermediate Unit (IU) Executive Directors
IU Special Education Directors
Charter Schools Administrators
Approved Private Schools

FROM: John J. Tommasini, Director
Bureau of Special Education
Department of Education

The purpose of this memo is to clarify the Pennsylvania Department of Public Welfare's (DPW) policy pertaining to the use of electronic signatures on the School-Based ACCESS Program (SBAP) provider logs.

According to the *U.S. Electronic Signatures in Global and National Commerce Act*, Public Law 106-229, enacted June 30, 2000, an electronic signature is "an electronic sound, symbol or process attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record."

DPW will accept SBAP provider logs that are signed with an electronic signature provided the electronic signature meets the following requirements:

- Identifies the individual signing the document by his/her name and title;
 - Ensures that the document cannot be altered after the signature has been affixed by limiting access to the code or key sequence;
- and
- Provides an audit trail that validates the signer's identity.

Upon request from DPW, schools must be able to provide a hard copy of the log showing either verification of the provider's PIN/password or an actual signature. A handwritten original is not required.

Schools that use electronic signatures must have written policies and procedures in effect regarding use of electronic signatures. Electronically transmitted signatures must be electronically encrypted or transmitted by other technological means designed to protect and prevent access, alteration, manipulation or use by any unauthorized person. In addition to complying with security policies and procedures, providers who use computer keys or electronic signatures should sign a statement assuring that they alone will have access to and use the key or computer password. The policies, procedures, and statements of exclusive use must be maintained and available at the school's location.

If a school district has questions regarding the use of electronic signatures on SBAP provider logs, please contact Tom Seben (717) 783-6917.