



PERMANENT MEMORANDUM 39 USE AND ACCEPTANCE OF ELECTRONIC SIGNATURES

POLICY DIGEST

Monitoring Unit: Office of Finance & Administration
Last Revised: February 15, 2019

I. PURPOSE

The purpose of this policy is to permit electronic signatures for University 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](#).

II. SCOPE

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

III. 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 University 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 University services, and/or perform certain operations, including the execution of Agreements to bind the University, subject to the contract approval procedures in Article V of the [Regulations of the Board of Supervisors](#).

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 University by which the identity of the signatory using an Electronic Signature is verified.

IV. GENERAL POLICY

To the extent allowed by the applicable laws, regulations and policies, the University 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 University. The Executive Vice President for Finance & Administration and Chief Financial Officer, or designee, shall establish standards for electronic submittal and receipt of documents with Electronic Signatures and shall establish Electronic Signature Methods. To comply with this policy, an Electronic Signature must employ an Electronic Signature Method at the time of signature. Nothing in this policy permits the execution of documents on behalf of the University, electronic or otherwise, without Authorization.

This policy does not limit the University's right or option to require that an Agreement involving the University be conducted on paper or in non-electronic form, nor does it limit the University's right or obligation to have documents be provided or made available on paper when required by applicable policies, laws, or regulations.

University 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 Board of Supervisors, the President may delegate signature authority to University personnel where necessary or appropriate for the effective administration of the University. A signature designee may not permanently further delegate signature authority. The Chief Procurement Officer, or designee, shall coordinate with the President and the Executive Vice President for Finance & Administration and CFO, or respective designees, to maintain a list of those persons with signature authority as delegated by the President or chancellors in adherence with the Bylaws & Regulations of the Board of Supervisors. The delegations shall be reviewed annually by the Executive Vice President for Finance & Administration and CFO in conjunction with the Office of the President.

Employees with signature authority and departments shall retain all Electronic Records with Electronic Signatures for the same period required for paper records pursuant to the University 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

V. SOURCES

- A. [Bylaws & Regulations of the Board of Supervisors](#)
- B. [Louisiana Uniform Electronic Transactions Act, La. R.S. 9:2601](#)