

	<b>Administrative Policy Statement</b>
	Category – Administration <span style="float: right;"><b>XXX</b></span>
<b>Electronic Signatures and Records</b>	

**Effective:**  
**Responsible Office:** Office of University Counsel  
**Vice President:** Vice President, University Counsel and Secretary to the Board of Regents

**Approved:**

**Brief Description:** Sets forth university requirements for electronic signatures and records.

A. Use of *Electronic Records* and *Electronic Signatures* for Internal Purposes

**I. INTRODUCTION**

This policy establishes when an electronic signature may replace a written signature and when an electronic record may replace a paper document in *official University business*.

This policy applies to all members of the University of Colorado community (such as *employees, affiliate fiscal staff, associates, and students*) and governs all uses of electronic signatures and electronic records used to conduct *official University business*.

**II. POLICY STATEMENT**

**A. Use of *Electronic Records* and *Electronic Signatures***

1. Where policies, laws, regulations and rules require a signature, that requirement is met if the document contains an *electronic signature*.
2. Where policies, laws, regulations and rules require a written document, that requirement is met if the document is an *electronic record*.
3. Each party to a transaction must agree to conduct the transaction electronically in order for *electronic transaction* to be valid. Consent may be implied from the circumstances, except with respect to the *electronic records* used to deliver information for which consumers are otherwise entitled by law to receive in writing.
4. If a law prohibits a transaction from occurring electronically, the transaction must occur in the manner specified by law.
5. If a law requires an *electronic signature* to contain specific elements, the *electronic signature* must contain the elements specified by law.
6. If a law requires that a record be retained or retained in its original form, that requirement is satisfied by retaining an electronic record of the information in the record that accurately reflects the information set forth in the original record and remains accessible for later reference.

**III. PROCEDURES, FORMS, GUIDELINES AND RESOURCES**

A. Procedures

1. Procedures for Electronic Signatures in Electronic Student Loan Transactions

B. Educational Resources

1. Colorado Revised Statute 24-71.3-101, Uniform Electronic Transaction Act (which can be found through the statute manager at <http://198.187.128.12/colorado/lpext.dll?f=templates&fn=fs-main.htm&2.0>)
2. 18 U.S.C. 2510, Electronic Communications Privacy Act (which can be found at [http://www.usdoj.gov/criminal/cybercrime/wiretap2510\\_2522.htm](http://www.usdoj.gov/criminal/cybercrime/wiretap2510_2522.htm))

**IV. DEFINITIONS**

*Italicized terms* used in this Administrative Policy Statement are defined in the Administrative Policy Statement [Dictionary](#).

**V. CONTACTS**

The Office of University Counsel will respond to questions and provide guidance regarding interpretation of this policy. Any exceptions to this policy must be approved by the Vice President, University Counsel and Secretary of the Board of Regents

**VI. HISTORY**

- New