PURPOSE OF THIS POLICY

The use of electronic or digital signatures on contracts, agreements, memoranda, internal business documents, and other instruments is widespread and has become the norm in the digital age. Colorado law expressly recognizes the validity and legal enforceability of electronic signatures. Circulating paper documents for ink signatures when it is not necessary to do so wastes valuable time and resources. However, there are many different methods of creating electronic signatures, and many different software applications and services designed for this purpose. In order to avoid having a multitude of different agreements with software and services vendors, unnecessarily duplicating demands on resources, and using inconsistent methods and processes for creating electronic signatures, this policy specifies what constitutes an acceptable electronic signature for official business at CSU, what methods and tools should be used, and the responsibilities of departments and end users with respect to electronic signatures.

APPLICATION OF THIS POLICY
This policy applies to all University business units and persons doing business on behalf of the institution and to all uses of electronic signatures in connection with official University activities.

DEFINITIONS USED IN THIS POLICY

"Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.

“Electronic signature” (also “e-signature”) means 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 the record. As used herein, it also includes a digital image or facsimile of an ink signature (i.e., an image placed in a record) if it comes from the signer’s CSU email account or is generated by the signer within an approved e-signature application.

“Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form. It includes contracts, agreements, memoranda, and other instruments used in official University business.

POLICY STATEMENT

Electronic signatures made in accordance with this policy are as valid as ink signatures for all official business transactions and records of the University, unless a paper-and-ink signature is required by law, applicable standard, best practice, or special requirement for a transaction, or by an external party that declines to use or accept electronic signatures.

POLICY PROVISIONS

1. All University business transactions that can satisfactorily be accomplished using electronic records may be signed using an approved e-signature application or service (also called a “program” in this policy). The use of e-signatures in place of paper and ink is to be encouraged.

2. To be valid and acceptable at CSU, an electronic signature must be:
   a. Created by the person whose signature it purports to be;
   b. With the intent to sign the record to which it is attached; and
   c. Made using an approved e-signature program in a secure manner.

3. The University currently has two approved e-signature programs: Adobe Sign (formerly known as Echo Sign) and DocuSign, for which license agreements have
been approved. No other e-signature program may be used at CSU unless it is first approved by the Office of Contracting Services upon a showing of reasonable need to use something other than these two programs.

4. An e-signature may be made on a record using a non-approved program if it is received from an external source (e.g., vendor or contracting party) and required to be executed using that program, subject to approval by Contracting Services.

5. No matter what e-signature program is used, it must:
   a. Include the ability to verify the identity of the signer;
   b. Support the applicable business purpose and workflow; and
   c. Permit the information to be retrievable in the future and auditable.

6. E-signature programs should not be purchased or used for internal transactions if an existing, central administrative system (such as the financial system or HR system) already provides the means of obtaining the necessary, verified approvals for a record.

7. If a department or business unit adopts an e-signature program and/or procedure for a type of transaction, then all employees in that department or unit should use that same program and/or procedure.

8. This policy does not apply to “clickwrap” agreements, such as those required for an online transaction; however, the authority to execute such agreements must be properly delegated to the signer in accordance with the CSU Policy on Signature Delegations and Contracts.

**COMPLIANCE WITH THIS POLICY**

Compliance with this policy is required. For assistance with interpretation or application of this policy, contact the Office of Contracting Services, or RamTech for technical support.

**REFERENCES**

*Colorado Uniform Electronic Transactions Act, C.R.S. § 24-71.3-101, et. seq.*

*CSU Policy on Signature Delegations and Contracts*
## APPROVALS

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<td>Name:</td>
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**FINAL APPROVAL:**

Colorado State University  
Anthony A. Frank, President  

By:  
Date:  

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**POLICIES OF COLORADO STATE UNIVERSITY**  
Electronic Signatures