

University of Baltimore

V-3.2 Policy on Use of Electronic Signatures

Approved by President Kurt L. Schmoke on 4/13/2023

I. Purpose

This Policy establishes requirements for the use of electronic signatures (e-signatures) in lieu of handwritten or “wet” versions in connection with official University of Baltimore (UBalt) activities, in order to ensure that electronic signatures are used consistently. Federal and state laws authorize the acceptance of electronic signatures as legal and enforceable for most transactions.

II. Definitions

- A. Electronic signature (e-signature) is an electronic sound, symbol, or process, attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the record. E-signature does not refer to facsimile signatures used on checks issued by the University.
- B. Persons of Interest (POIs) are individuals whose information technology access is not automatically created (i.e., provisioned) due to a relationship with the University such as being an employee or student. Examples of POIs are contractors, consultants, affiliates, and business partners.

III. Scope

- A. This Policy applies to all uses and acceptance of e-signatures in connection with official UBalt business, contracts, and transactions with external agencies.
- B. This Policy applies to all members of the UBalt community, including staff, faculty, students and prospective students, prospective employees, and POIs in connection with University activities.
- C. This Policy does not mandate the use of e-signatures or otherwise limit the ability of UBalt personnel to conduct transactions with handwritten signatures on paper documents.
- D. This Policy does not apply to contracts or other documents in which a handwritten signature on a paper record is required to comply with applicable law, regulation, or government policy. It is impossible to provide an exhaustive list in this Policy of documents that may require handwritten or “wet” signatures. However, examples of documents that *may* require handwritten signatures are as follows: (i) Certain real estate documents; (ii) Certain bond and surety documents; (iii) Documents required to accompany hazardous material handling; (iv) Wills, codicils or testamentary trusts; (v) notice of cancellation or termination of health insurance, health insurance benefits, or life insurance benefits, excluding annuities; and (vi) notice of cancellation or termination of utility services, including water, heat, and power.

When in doubt regarding whether the document at issue requires a handwritten signature, UBalt employees should refer to Appendix A of UBalt’s signature authority policy to determine the Approver for that type of agreement. The associated Approver should be

consulted, and that Approver shall contact the Maryland Office of the Attorney General for guidance.

IV. Supporting Law

- A. The enforceability, construction, interpretation, and validity of e-signatures is governed by Maryland law and federal law, including the [Maryland Uniform Electronic Transactions Act](#) and the federal [Electronic Signatures in Global and National Commerce Act](#).

V. Policy

- A. Subject to the limitations required by this Policy, when a UBalt policy, a law, or a regulation requires that a document be executed, the execution of such document by UBalt may be evidenced by an authorized e-signature in lieu of a handwritten (i.e., “wet”) signature.
- B. An e-signature on behalf of UBalt is only valid if: it is executed by an individual with the intent and authority to sign on behalf of UBalt and to bind UBalt; it is unique to the person using it; it is verifiable; the verification information is retrievable and auditable; and the use of the e-signature is under the sole control of the authorized signatory (or designee identified in writing by the authorized signatory).
- C. An individual with signature authority who seeks to utilize an e-signature for a UBalt document must sign documents using DocuSign or Adobe Sign. Other software may only be used if approved for that University use by the Office of Technology Services through a request form found in the technology service catalog.
- D. To use an e-signature, an individual must have the authority to undertake the action made by the e-signature. Only specific individuals identified by the UBalt Policy on Signature Authority have authority to sign contracts and other documents on behalf of the University. Only those individuals and their authorized designees have authority to affix e-signatures on contracts and other documents within the signatory’s authority.

VI. Compliance

It is a violation of this Policy:

- A. for an individual to use an e-signature on a UBalt document on behalf of another individual, except when using e-signature as an authorized designee for that individual with signature authority.
- B. to use an e-signature on a UBalt document without proper authority under UBalt policy;
- C. to falsify e-signatures; or
- D. to otherwise violate the terms of this Policy set forth above.

Individuals violating this Policy, or applicable state and federal laws are subject to disciplinary action and appropriate sanctions under UBalt policies, up to and including termination of employment or expulsion for a student.