Memo to: DSPS Coordinators

Memo from: California Community Colleges Chancellor’s Office, DSPS Program

RE: Electronic Signatures / Student Educational Contract

cc: CCCO Fiscal Accountability Unit

The California Community Colleges Chancellor’s Office has received several inquiries about the verification of a student’s signature on a DSPS Student Educational Contract (SEC). The context of most of these questions has been related to district audits. The DSPS Program has consulted with the Fiscal Accountability Unit, who oversee the annual district audit process, and confirmed that the contracted auditors are provided with the Contracted District Audit Manual (CDAM), as their official guidance in this process. The CDAM includes supporting documentation to assist and guide the auditors in applying the DSPS tests for compliance. Included within the CDAM are both the DSPS Title 5 Regulations and the DSPS Title 5 Implementation Guidelines. This issue has arisen primarily when auditors are testing files for compliance with the SEC requirements (see below).

“56022 Student Educational Contract

A Student Educational Contract (SEC) is a plan to address specific needs of the student. A SEC must be established upon initiation of DSPS services and shall be reviewed and updated annually for every student with a disability participating in DSPS. The SEC specifies those regular and/or special classes and support services identified and agreed upon by both the student and DSPS professional staff as necessary to meet the student’s specific educational needs. The SEC shall be reviewed annually by a DSPS professional staff person to determine whether the student has made progress toward his/her stated goal(s).

Whenever possible the SEC shall serve as the Student Educational Plan (SEP) and shall meet the requirements set forth in Section 55525 of this division. In addition, for students in noncredit special classes, each SEC shall include, but need not be limited to a description of the criteria used to evaluate the student’s progress.”

Below are the Implementation Guidelines for Title 5 Section 56002, which the auditors are commonly referring to when they are looking for student file documentation. This guideline lists the SEC, among the other documentation requirements.

“Documentation that students meet these criteria should be available in their files. These files should include but are not limited to the following:
(1) a signed application for services and verification of enrollment at the community college;
(2) verification of disability and identification of educational limitation(s) due to the disability;
(3) a **Student Educational Contract**; and
(4) documentation of services provided”
In the Implementation Guidelines for Section 56022, the following statement is included:

“The SEC should be initially developed when the student first applies for DSPS services. A DSPS professional staff person and the student should develop the SEC. It is important for the student to participate in the development of the SEC, and the student's signature is necessary to indicate agreement with the short-term objectives as well as the criteria for measuring their progress.”

Both the regulation and the guidelines are “silent” on the issue of electronic signatures. The purpose of this policy memo is to both inform you, and to provide official written guidance from the Chancellor’s Office DSPS Program that a legitimate, verified electronic student signature, combined with a supporting local policy on electronic signatures, will suffice to meet the requirements of these DSPS Implementation Guidelines and therefore can be used to help demonstrate compliance with Title 5 Sections 56002 and 56022 during an audit.

This will be the case, until such time we are able to fully vet and implement our new DSPS Title 5 Regulation package and new Implementation Guidelines through the shared governance process and all the necessary protocol. Our new DSPS Implementation Guidelines, once finalized, will speak clearly and directly to the allowance of electronic signatures.