

AUTHORIZED SIGNATURES

The Nixa Public Schools Board of Education takes its legal and financial responsibilities seriously. The superintendent or designee is directed to create internal controls to ensure that contracts, checks and other official documents are accurate, authorized and signed by the appropriate persons and that necessary actions are taken to prevent mistakes, fraud, embezzlement and district liability.

In general, the superintendent or designee may sign documents on behalf of the district or the Board as long as the document is accurate, has been adequately approved by the Board when necessary and is in the best interest of the district. However, when the law or Board policy requires others to sign documents on behalf of the Board or the district, those persons are the only persons who may sign the document.

Contracts

A contract is a binding, written agreement between the district and an individual or entity. In accordance with law, a contract with the district must be approved by a majority of the whole Board. After the Board has approved the contract, the Board president, Board secretary and superintendent or superintendent's designee have the authority to sign the contract on behalf of the district unless state or federal law requires a specific person to do so.

Employment Contracts

In accordance with law, a contract and the employment of a person must be approved by a majority of the whole Board. In addition, employment contracts for certificated personnel must be signed by the Board president and attested to by the Board secretary.

Checks

In accordance with law, bills must be approved by a majority of the whole Board. The president and treasurer of the Board shall sign all checks issued by the school district. The Board strictly prohibits any person from signing a blank check.

Federal and State Grants, Funds or Programs

Unless otherwise specified in the federal or state grant or contract, the superintendent or designee has the authority to sign necessary assurances and compliance documents on behalf of the Board. Before signing, the superintendent or designee will verify that the assurances and documents are accurate. All documents will be made available to the Board upon the request of any Board member.

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Special Education Mediation and Settlement Agreements

The person(s) designated by the Board in policy IGBA may sign and legally bind the district in mediation and settlement agreements regarding services provided to students with disabilities.

Construction Change Orders

The person(s) designated by the Board in policy FEF as the district's personal representative(s) may sign change orders within the limits set in Board policy.

Lease or Sale of Real Estate

Once approved by the Board with the requisite vote, the lease or deed of conveyance for district real estate will be executed by the Board president and attested by the Board secretary. If the district has a seal, it will be affixed to the deed or lease.

Facsimile Signatures

The Board authorizes the use of facsimile signatures, such as those produced with signature stamps or a signature machine, on checks, other instruments of payment, contracts and other documents requiring district authorization by signature. However, before a facsimile signature can be used, the manual signature must be certified under oath and on file with the Missouri Secretary of State, and the person whose facsimile signature is being used must have the authority to sign the document on which the signature is affixed. Prior to using the facsimile signature, the individual who affixes the signature on the document is responsible for verifying the accuracy of the document signed and the authority of the person whose signature is used.

Signature stamps and other facsimile signature devices will be kept locked or otherwise secured from unauthorized use and will only be used on approved documents by persons authorized by the superintendent or the Board. An individual must receive specific approval from the person whose signature is being used prior to affixing it to a particular document unless it is a contract or payment that has received prior approval by the Board.

When an individual uses another person's facsimile signature, the individual must document the date it was used, the document(s) it was used on, the amount of the contract or check, if applicable, and the reason a facsimile signature was used instead of the actual signature. The individual using the signature and one other district employee must sign this documentation, verifying that the facsimile signature was appropriately used. The documentation will be provided to the person whose facsimile signature was used at least monthly so that person may verify that the signature is being used correctly.

Electronic Signatures

To the extent allowed by law, individuals authorized to sign documents on behalf of the district may sign those documents electronically. Unlike facsimile signatures, which are designed to be used by persons other than the individual whose signature is needed, an electronic signature is intended to be used only by the individual signing the document in situations where the document is electronic or it is inconvenient to sign a document manually. Only the individual whose signature is being used or a person directly supervised by that person who has been given explicit permission to use the signature on that particular document may sign a document with an electronic signature.

Consequences

The Board strictly prohibits any misuse of facsimile signatures or electronic signatures and the use of forged signatures. The Board further prohibits any employee or Board member from knowingly signing an unauthorized or inaccurate document on behalf of the district or the Board. Employees will be disciplined and may be terminated for any violation of this policy or for impropriety involving official documents and signatures. Board members may be removed from any appointed position or committee and reprimanded. The superintendent or designee is directed to contact law enforcement or other legal authorities to report any potential criminal activity.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 10/08/1998

Revised: 11/12/2015; 11/09/2017

Cross Refs: BCB, Board Officers
BCC, Appointed Board Officials
FED, Selection of a Construction Manager at Risk
FEE, Selection of a Design-Build Contractor
FEF, Construction Contracts Bidding and Awards
GCD, Professional Staff Recruiting and Hiring
IGBA, Programs for Students with Disabilities

Legal Refs: §§ 105.273 - .276, 162.301, .959, .961, 165.021, .091, 168.101, .108, 177.073, .091, 432.200 - .295, RSMo.

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Electronic Signatures in Global and National Commerce Act, 15 U.S.C. §§ 7001 -
7006

Nixa Public Schools, Nixa, Missouri