



## Digital Signatures: Best Practices and Lessons Learned



Presented by  
Child Development Associates

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## Review of State Regulations and Management Bulletins



## Management Bulletins

MB 17-03

- Digital signature is a type of electronic signature

MB 17-04

- Authorized to use digital signatures as defined by GC 16.5

MB 17-13

- Use digital application to apply for services

Government  
Code 16.5 (a)

- Unique to the person using it
- Capable of verification
- Sole control of the person using it
- Signature linked to data, and if data is changed signature is invalidated



## Goals for CDA



## Goals for CDA

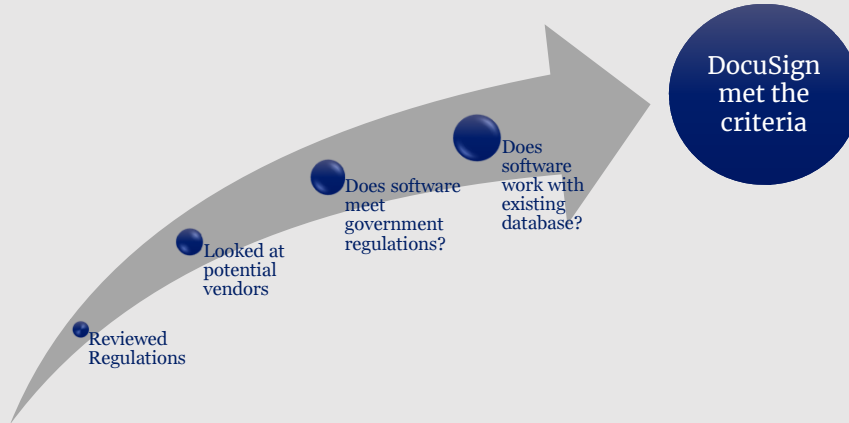


- Compliance
- Customer Service
- Agency Efficiency
- Building Trust

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## Review of state MB/Regulation/Law

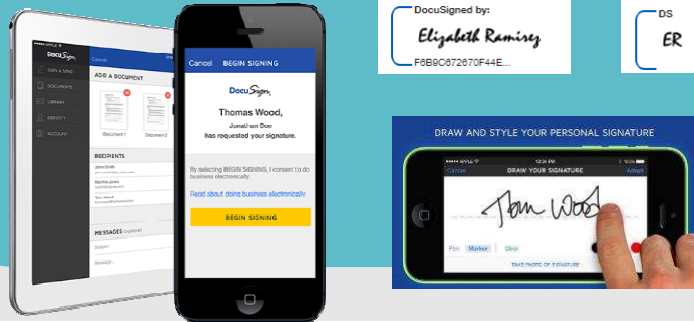


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## What is DocuSign

- DocuSign is a web based application that will allow staff to request and receive forms signed electronically.
- Parents will receive an email requesting their signature and/or initials. They will have the option to sign electronically via tablet, smartphone, laptop, or personal computer.



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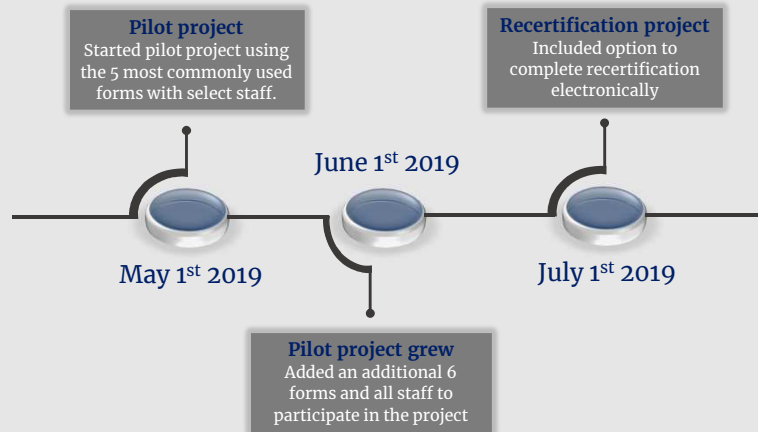


## CDA's Digital Signature Project Overview



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## Project Overview



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## Project Overview- Recertification

Here is a short video we created for parents to illustrate that process



Your recertification is  
coming up!

<https://www.youtube.com/watch?v=jaLDgnk3I5Y>

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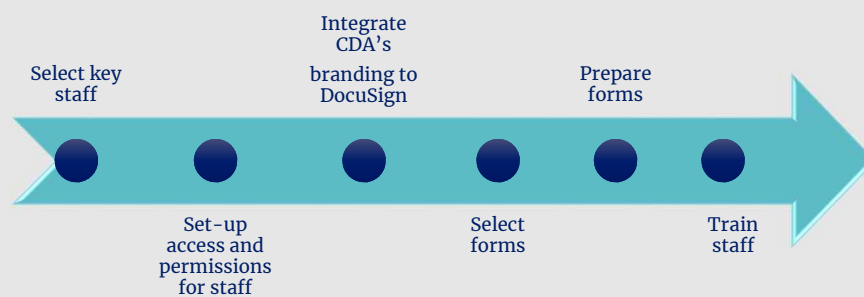
## Preparing for Implementation



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## Preparing for Implementation

### Overview



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## Preparation

### Roles of Key Staff

#### Administrators

Coordinate the implementation and monitor progress; decide which forms to use and how; develop work flow processes

#### Communication Team

Upload the CDA logos and brand DocuSign according to CDA brand guidelines

#### IT Administrator

Configure system and manage accounts

#### Testers

Learn system details and create DocuSign templates

#### Trainers

Develop a training for CDA staff

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## Preparation

### Account Management

- DocuSign assigned CDA an Account Manager
- Identified Key Staff
- Account Manager and Key Staff met to go over implementation timeline
- Key staff attended DocuSign University

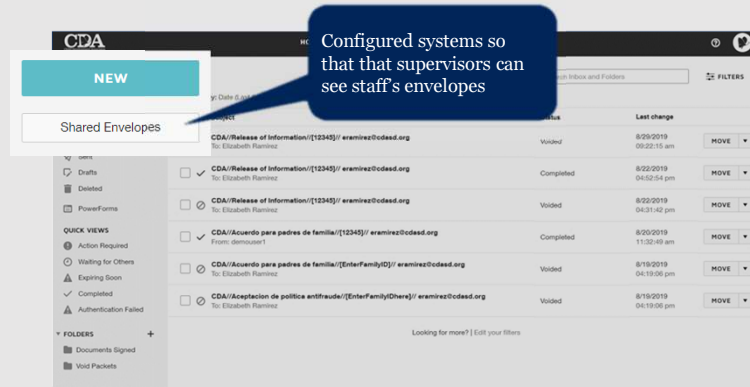
### IT Administrator

- Configured users
- Set up permissions
- Installed DocuSign drivers
- Set up groups

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## Preparation – System Configuration



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## Preparation – Branding



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## Preparation – Determining Forms

Determined the most commonly used forms and started with 5 forms

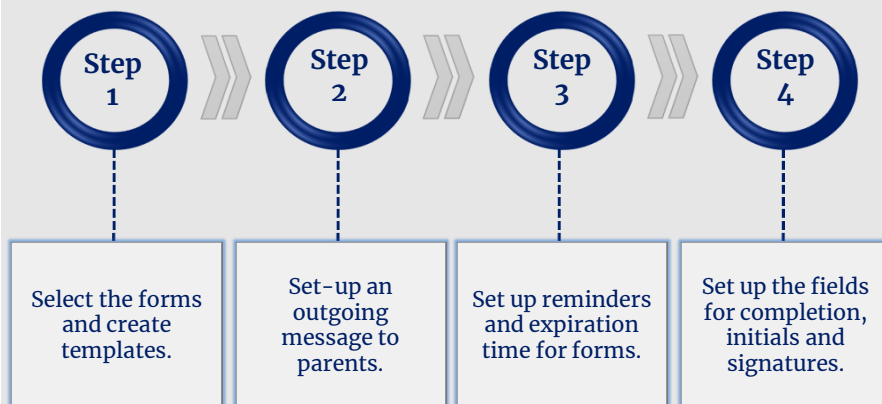
- Voluntary Request for Temporary Suspension of Services
- Voluntary Request to Reduce Child Care Services
- Employer Contact Information
- Release of Information
- Parent Agreement

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## Preparation – Forms

Preparing Forms



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## Preparation – Video for Parents

CDA'S DocuSign video for parents



<https://www.youtube.com/watch?v=AQsIAzZeL4M>

## Preparation – Training Staff

What is  
DocuSign?

### DocuSign

- DocuSign is a web based application that allows Case Managers to request and receive forms electronically.
- Parents will receive an email request for their signature and/or initials. They will have the option to sign electronically via tablet, smartphone, or computer.



Case  
Manager  
Training

Supervisor  
Training

## Implementation How it Works



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## Implementation – For Case Managers

DocuSign inbox contain folders similar to Outlook inbox.

Subject	Status	Last change
CDA// Parent Agreement/(12345)/ eraminex@cdesd.org To: Elizabeth Ramirez	Need to Sign	9/12/2019 09:50:34 am
CDA//Release of Information/(12345)/ eraminex@cdesd.org To: Elizabeth Ramirez	Voided	8/29/2019 09:22:15 am
CDA//Release of Information/(12345)/ eraminex@cdesd.org To: Elizabeth Ramirez	Completed	8/22/2019 04:52:54 pm
CDA//Release of Information/(12345)/ eraminex@cdesd.org To: Elizabeth Ramirez	Voided	8/22/2019 04:31:42 pm
CDA//Acuerdo para padres de familia/(12345)/ eraminex@cdesd.org From: demouser1	Completed	8/20/2019 11:32:40 am
CDA//Acuerdo para padres de familia/(EnterFamilyID)/ eraminex@cdesd.org To: Elizabeth Ramirez	Voided	8/19/2019 04:19:06 pm
CDA//Aceptacion de politica anti-fraude/(EnterFamilyID)/ eraminex@cdesd.org To: Elizabeth Ramirez	Voided	8/19/2019 04:19:06 pm

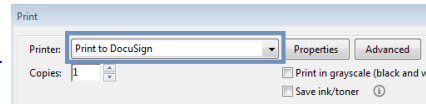
Inbox shows emails received and status.

Case Manager can verify status date, and use the listed options such as resend, move to a folder, create copy, history, and more.

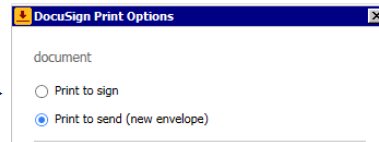
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## Implementation – For Case Managers

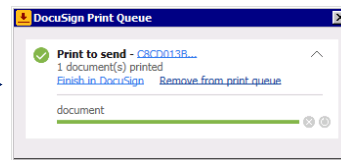
Send document to print in DocuSign's print driver.



Select to print in a new envelope.

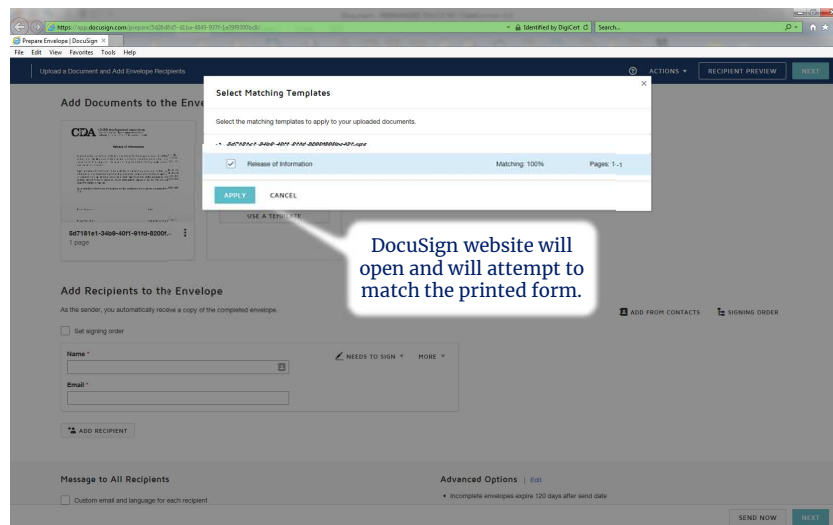


Click in the link Finish in DocuSign to continue.



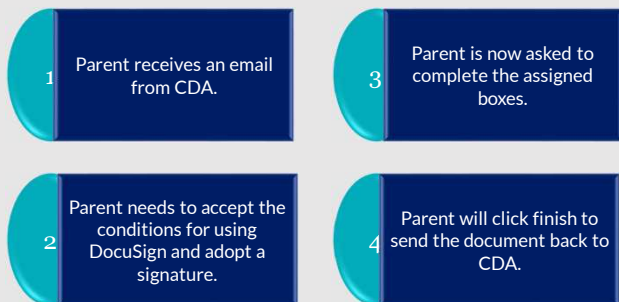
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## Implementation – For Case Managers



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## Implementation – For Parents



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## Implementation – For Supervisors

Supervisors can click on Shared Envelopes to access the employee's inbox.

The screenshot shows the CDA web application interface. The 'Shared Envelopes' section is active, displaying a list of envelopes. A callout points to the 'SELECT' button, and another callout points to the 'Employee Name 1' row, indicating the selection of an employee's name.

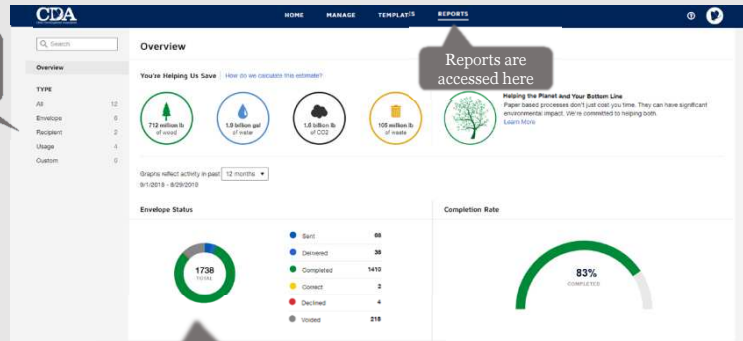
Name	Email	Last change	Actions
Employee Name 1	EmployeeName1@cdaad.org	8/28/2019 09:50:34 am	SIGN
Employee Name 2	EmployeeName2@cdaad.org	8/28/2019 09:22:15 am	MOVE
Employee Name 3	EmployeeName3@cdaad.org	8/28/2019 04:08:54 pm	MOVE
CDA/Acuerdo de confidencialidad de familia/[EnterFamilyID]/[EnterFamilyID]	Voided	8/28/2019 04:03:42 pm	MOVE
CDA/Acuerdo de confidencialidad de familia/[EnterFamilyID]/[EnterFamilyID]	Voided	8/19/2019 04:18:06 pm	MOVE

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## Implementation – Dashboard

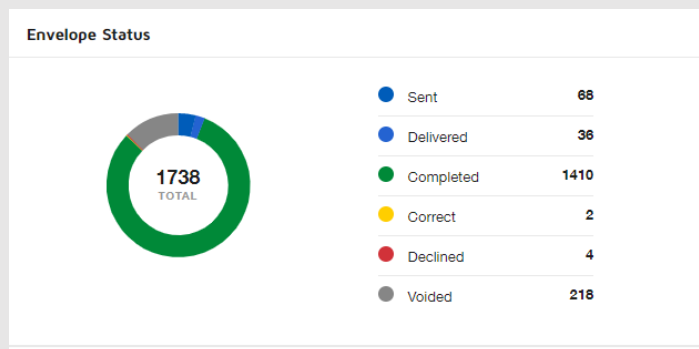
List of available reports.



Reports are accessed here

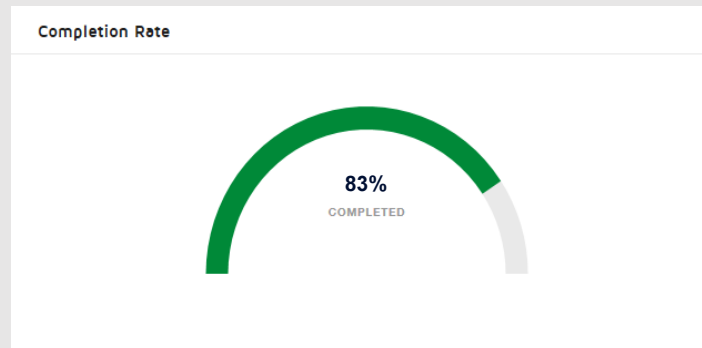
Reminder:  
This total shows the amount of envelopes used. Envelopes contain one or more documents.

## Implementation – Envelope Status



Indicates the overview of current status.

## Implementation – Completion

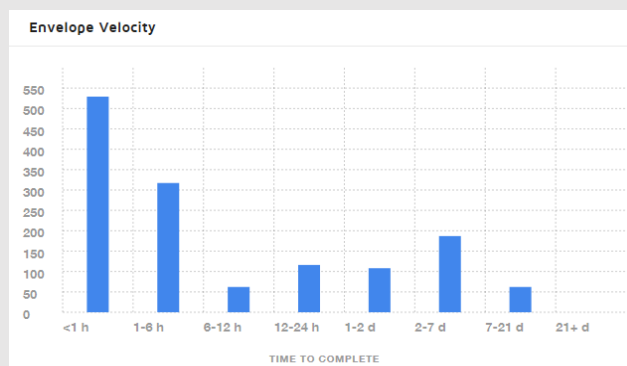


Indicates the rate of document completion.

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## Implementation – Envelope Velocity

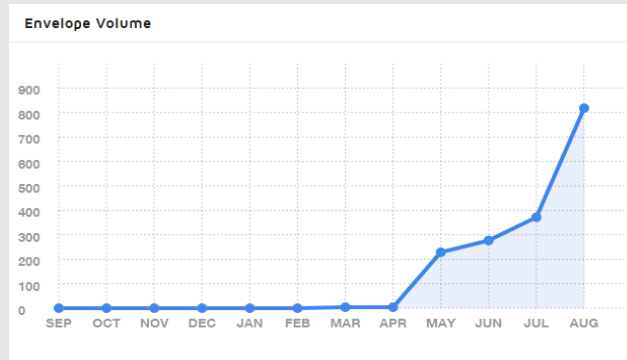


Indicates the speed that parents are responding to our requests.

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## Implementation – Envelope Volume



Indicates the amount of envelopes sent per month.



## Where We are Now





## Where We are Now

CDA is currently using 11 forms in DocuSign

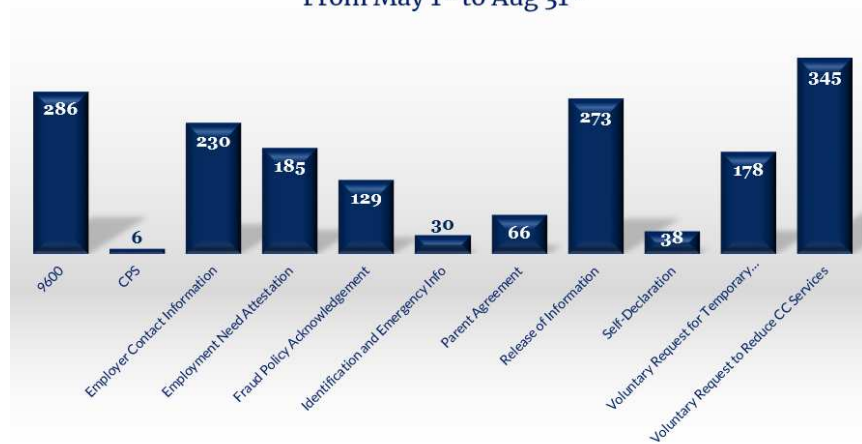
- EESD 9600
- Employer Contact Information
- Employment Need Attestation
- Fraud Policy Acknowledgment
- Identification and Emergency Information
- Parent Agreement
- Release of Information
- Self-declaration
- Voluntary Request for Temporary Suspension of Services
- Voluntary Request to Reduce Child Care Services
- Child Protection Services and At-Risk

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## Where We are Now

Total of Documents Sent by Form  
From May 1<sup>st</sup> to Aug 31<sup>st</sup>



Total of Documents sent 1766.

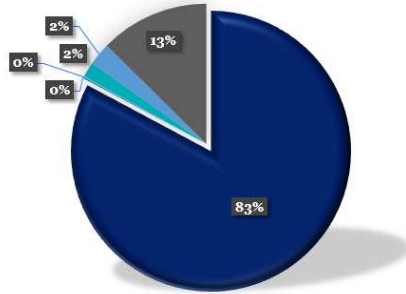
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## Where We are Now

Total of documents completed via DocuSign  
From May 1st to Aug 31st.

■ Completed ■ Correct ■ Declined ■ Delivered ■ Sent ■ Voided



CDA has sent 1766 documents and received 1462 documents back completed  
83% of documents have been successfully signed through DocuSign

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## Lessons Learned



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## Lessons Learned

### Attributes

Families have avoided long commutes

Many terminations have been avoided

Families can complete recertification faster and more conveniently

User interface is easy to understand and use

Templates are easy to use

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## Lessons Learned

### Challenges

Primary purpose of DocuSign is signature not form completion

Not all parents are tech savvy

Challenging for parents needing translation services

Template matching requires additional steps in Windows 10

Some forms need to be reformatted for DocuSign compatibility

Setup permissions and shared groups

Procurement process was challenging due to cost and limited options

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## Conclusion



Successful  
implementation

DocuSign has  
limitations

Positive parent  
response

What's next?

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**CDA**  
Child Development Associates

## Q & A

**DocuSign Contact:**  
**Laine Johnson**

Laine.Johnson@docusign.com  
Account Manager  
Direct: 415-919-6732



# Regulations





Home / Specialized Programs / Child Development / Contractor Information

## Management Bulletin 17-03

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### Early Learning and Care Division

**Subject:** Clarify that a Digital Signature May be Used to Satisfy the Requirements of an Electronic Signature.

**Number:** 17-03

**Date:** February 2017

**Expires:** Until Rescinded

**Authority:** Uniform Electronic Transactions Act (UETA) Located at *Civil Code* sections 1633.1 through 1633.17; *Civil Code* Section 1633.2; *Government Code* (GC) Section 16.5

**Attention: Executive Directors and Program Administrators of Child Care and Development**

**Programs:** Center-based Child Care (CCTR); California State Preschool (CSPP); Family Child Care Homes Education Networks (CFCC); Programs for Special Needs Children (Handicapped) (CHAN); Migrant (Center-based) (CMIG); CalWORKs Stage 2 (C2AP); CalWORKs Stage 3 (C3AP); California Alternative Payment Program (CAPP); Migrant Alternative Payment Program (CMAP); and Resources and Referral (CRRP)

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### Purpose

This Management Bulletin (MB) is to inform all child care contractors who contract with the California Department of Education (CDE) under the Child Care and Development Services Act (the Act) and all child care providers under the Act that a "digital signature," as defined, is considered a type of "electronic signature" under the UETA.

### Background

On August 19, 2016, the Governor signed Assembly Bill (AB) 2296. The bill clarifies that a digital signature may be used to satisfy the requirements of an electronic signature under the UETA. For purposes of the UETA, an electronic signature includes a digital signature.

### Policy

Effective January 1, 2017, and pursuant to AB 2296, a "digital signature" authorized by GC Section 16.5 and its attendant regulations qualifies as a type of "electronic signature" under the UETA.

Pursuant to GC Section 16.5(b), the use or acceptance of a digital signature shall be at the option of the parties to the transaction.

**Note:** All agencies must provide access to documentation required pursuant to the *California Code of Regulations*, Title 5, for audit, contract, and fiscal review purposes.

Please see MB 17-04 at <http://www.cde.ca.gov/sp/cd/ci/mb1704.asp> for further information on what constitutes an acceptable "digital signature."

If you have questions regarding the information in this MB, please send an e-mail to [digsig-estorage@cde.ca.gov](mailto:digsig-estorage@cde.ca.gov).

**Pursuant to California *Education Code* Section 33308.5, this Management Bulletin is mandatory only to the extent that it cites a specific statutory and/or regulatory requirement. Any portion of this Management Bulletin that is not supported by a specific statutory and/or regulatory requirement is not prescriptive.**

**Questions: Early Learning and Care Division | 916-322-6233**

Last Reviewed: Thursday, June 20, 2019

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Home / Specialized Programs / Child Development / Contractor Information

## Management Bulletin 17-04

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### Early Learning and Care Division

**Subject:** The Use of a Digital Signature for All Child Care Contractors

**Number:** 17-04

**Date:** February 2017

**Expires:** Until Rescinded

**Authority:** California *Education Code (EC)* Section 8262.1; *Government Code (GC)* Section 16.5; and the *California Code of Regulations*, Title 2 (2 *CCR*) sections 22000–22005

**Attention: Executive Directors and Program Administrators of Child Care and Development**

**Programs:** Center-based Child Care (CCTR); California State Preschool (CSPP); Family Child Care Homes Education Networks (CFCC); Programs for Special Needs Children (Handicapped) (CHAN); Migrant (Center-based) (CMIG); CalWORKs Stage 2 (C2AP); CalWORKs Stage 3 (C3AP); California Alternative Payment Program (CAPP); Migrant Alternative Payment Program (CMAP); and Resources and Referral (CRRP)

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### Purpose

This Management Bulletin (MB) is to inform all child care contractors who contract with the California Department of Education (CDE) under the Child Care and Development Services Act (the Act) that they are authorized to use digital signatures.

### Background

On September 13, 2016, the Governor signed Assembly Bill (AB) 1712. If state and federal standards are met, the bill:

- Authorizes child care contractors to use digital signatures
- Provides that the use of a digital signature has the same force and effect as the use of a manual signature
- Continues to authorize child care contractors and child care providers to maintain records electronically

AB 1712 amends *EC* Section 8262.1, to permit all contractors under the Act to use digital signatures. Prior to this legislation, only Alternative Payment Programs and alternative payment providers were expressly authorized to use digital signatures. (See *EC* 8227.5.)

**Note: This bill does not require a contractor or alternative payment provider to create records electronically or to use a digital signature system.**

## Policy

Effective January 1, 2017, child care contractors may use a digital signature; however, contractors must ensure compliance with existing *California Code of Regulations*, Title 5 (5 *CCR*) regulations (e.g., the use of a digital signature does not exclude a contractor from complying with 5 *CCR* Section 18065). For more information, review *GC* Section 16.5 ([http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=16.5.&lawCode=GOV](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=16.5.&lawCode=GOV)) and Chapter 10 (commencing with Section 22000) of Division 7 of 2 *CCR*. Per *GC* Section 16.5 and 2 *CCR* sections 22000–22005, the following requirements must be met if a contractor or alternative payment provider chooses to use a digital signature:

- Digital signatures must be created by an acceptable technology. (See 2 *CCR*, sections 22003 and 22004, for information on acceptable technologies.)
- The use of a digital signature will have the same force and effect as the use of a manual signature if, and only if, it embodies all of the following attributes:
  1. It is unique to the person using it.
  2. It is capable of verification.
  3. It is under the sole control of the person using it.
  4. It is linked to data in such a manner that if the data are changed, the digital signature is invalidated.
  5. It otherwise conforms to 2 *CCR* sections 22000–22005.

Pursuant to *GC* Section 16.5(b), the use or acceptance of a digital signature shall be at the option of the parties to the transaction.

More information on digital signatures is available at the California Secretary of State's Frequently Asked Questions (FAQ) Web page at <http://www.sos.ca.gov/administration/regulations/current-regulations/technology/digital-signatures/frequently-asked-questions>.

**Note:** All agencies must provide access to documentation required pursuant to Title 5 for audit, contract, and fiscal review purposes.

If you have questions regarding the information in this MB, please send an e-mail to [digsig-estorage@cde.ca.gov](mailto:digsig-estorage@cde.ca.gov).

**Pursuant to California *Education Code* Section 33308.5, this Management Bulletin is mandatory only to the extent that it cites a specific statutory and/or regulatory requirement. Any portion of this Management Bulletin that is not supported by a specific statutory and/or regulatory requirement is not prescriptive.**

**Questions: Early Learning and Care Division | 916-322-6233**

Last Reviewed: Thursday, June 20, 2019

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## Management Bulletin 17-13

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### Early Learning and Care Division

**Subject:** Digital Applications

**Number:** 17-13

**Date:** October 2017

**Expires:** Until Rescinded

**Authority:** California *Education Code* sections 8227.3, 8227.5, 8227.6, 8262.1, 8262.2, and 8263 and *California Code of Regulations*, Title 5 (5 *CCR*) sections 18070, 18083, and 18100

**Attention: Executive Officers and Program Directors of All Child Care and Development Programs**

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### Purpose

The purpose of this Management Bulletin (MB) is to inform contractors that they may use digital applications to allow families to apply for child care and development services.

### Background

Assembly Bill (AB) 274, Chapter 733, Statutes of 2013, added California *Education Code* (EC) sections 8227.3 and 8262.1 to authorize Early Learning and Care Division (ELCD) contractors to electronically maintain records that were originally created in an electronic format. See the California Department of Education (CDE) MB 13-10 Web page at <https://www.cde.ca.gov/sp/cd/ci/mb1310.asp>.

On October 4, 2015, AB 271 was signed by the Governor and amended EC sections 8227.3 and 8262.1 to allow records not originally created in electronic format to be maintained in electronic format. It also added EC Section 8227.5 to allow Alternative Payment Program contractors to use digital signatures and provided that the use of a digital signature has the same force and effect as a manual signature. See the CDE MB 16-01 Web page at <https://www.cde.ca.gov/sp/cd/ci/mb1601.asp>.

On August 19, 2016, AB 2296 was signed by the Governor and clarified that a digital signature may be used to satisfy the requirements of an electronic signature for purposes of the Uniform Electronic Transactions Act (UETA). See the CDE MB 17-03 Web page at <https://www.cde.ca.gov/sp/cd/ci/mb1703.asp>.

On September 13, 2016, the Governor signed AB 1712, amending *EC* Section 8262.1 to allow center-based contractors to also use digital signatures and to provide that the use of a digital signature has the same force and effect as a manual signature. See the CDE MB 17-04 at <https://www.cde.ca.gov/sp/cd/ci/mb1704.asp>.

On June 27, 2017, AB 99, Chapter 15, Statutes of 2017, enacted with this year's budget, added *EC* sections 8227.6 and 8262.2, providing that both alternative payment program contractors and center-based contractors may use digital forms to allow families to apply for services. This legislation was one of the recommendations that came out of the AB 104 workgroup.

## Policy

All ELCD contractors may use digital applications to allow families to apply for child care and development services pursuant to *EC* sections 8227.6 and 8262.2 if those forms comply with state and federal standards.

Contractors who permit families to use digital signatures on the digital applications must meet statutory requirements pursuant to *EC* sections 8227.5 and 8262.1 and as described in MB 17-04.

Contractors are required to collect all elements found on the CD-9600 Confidential Application for Child Development Services and Certification of Eligibility form per *EC* Section 8263 and *California Code of Regulations*, Title 5 (5 *CCR*) sections 18083 and 18100, which specify all required information needed to fulfill mandatory data reporting requirements.

## Directive

Effective July 1, 2017, contractors may use digital applications to allow families to apply for child care and development services. Digital applications must conform to the content requirements described in 5 *CCR* sections 18083 and 18100. Additionally, contractors are encouraged to replicate the Form CD-9600, available on the CDE Web page, to collect required information on the application as well as to collect additional data reporting requirements.

Contractors may incorporate digital signatures with the digital application. If a contractor chooses to incorporate digital signatures with the digital application, they must ensure that the digital signature meets all legal requirements. For more information on those requirements, please refer to MB 17-04.

Moreover, any digital application must comply with state and federal standards related to the creation and maintenance of electronic records in accordance with *EC* sections 8227.3 and 8262.1.

**Notes:** This bill does not require a contractor or alternative payment provider to create records electronically or to use a digital application. All agencies must provide access to documentation required pursuant to 5 *CCR* for audit, contract, and fiscal review purposes.

If you have questions regarding the information in this MB, please send an e-mail to [digsig-estorage@cde.ca.gov](mailto:digsig-estorage@cde.ca.gov) or contact your assigned regional Field Services Consultant on the CDE Consultants Regional Assignments Web page at <https://www.cde.ca.gov/sp/cd/ci/assignments> or by phone at 916-322-6233.

**This Management Bulletin is mandatory only to the extent that it cites a specific statutory or regulatory requirement. Pursuant to the California *Education Code* Section 33308.5, any portion of this Management Bulletin that is not supported by a specific statutory or regulatory requirement is not prescriptive.**

**Return to Top**

**Questions: Early Learning and Care Division | 916-322-6233**

Last Reviewed: Wednesday, January 23, 2019

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**State of California**

**GOVERNMENT CODE**

**Section 16.5**

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16.5. (a) In any written communication with a public entity, as defined in Section 811.2, in which a signature is required or used, any party to the communication may affix a signature by use of a digital signature that complies with the requirements of this section. If a public entity elects to use a digital signature, that digital signature shall have the same force and effect as the use of a manual signature if and only if it embodies all of the following attributes:

- (1) It is unique to the person using it.
- (2) It is capable of verification.
- (3) It is under the sole control of the person using it.
- (4) It is linked to data in such a manner that if the data are changed, the digital signature is invalidated.

(5) It conforms to regulations adopted by the Secretary of State. Initial regulations shall be adopted no later than January 1, 1997. In developing these regulations, the secretary shall seek the advice of public and private entities, including, but not limited to, the Department of Information Technology, the California Environmental Protection Agency, and the Department of General Services. Before the secretary adopts the regulations, he or she shall hold at least one public hearing to receive comments.

(b) The use or acceptance of a digital signature shall be at the option of the parties. Nothing in this section shall require a public entity to use or permit the use of a digital signature.

(c) Digital signatures employed pursuant to Section 71066 of the Public Resources Code are exempted from this section.

(d) "Digital signature" means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (h) of Section 1633.2 of the Civil Code.

(e) Nothing in this section shall limit the right of a public entity or government agency to use and accept an "electronic signature" as defined in subdivision (h) of Section 1633.2 of the Civil Code.

(f) Regulations adopted by the Secretary of State to implement this section apply only to a public entity's use of a "digital signature" and not to use of any other type of "electronic signature" authorized in the Uniform Electronic Transactions Act (Title 2.5 (commencing with Section 1633.1) of Part 2 of Division 3 of the Civil Code).

(Amended by Stats. 2016, Ch. 144, Sec. 3. (AB 2296) Effective January 1, 2017.)