

## ELECTRONIC SIGNATURES

A policy authorizing use of electronic signatures is established to:

- Promote efficiency in order to conserve public resources;
- Establish guidelines for the use of electronic signatures for certain transactions; and
- Provide reasonable assurance of the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used by ESD; and
- Reduce ESD's reliance on paper-based transactions which will further improve information access and security

Providing the option of electronic signatures, when practicable, is consistent with the intent of Washington state law to promote electronic transactions and remove barriers that might prevent the use of electronic transactions by governmental entities.

ESD encourages the use of electronic transactions and electronic signatures, and recognizes electronic signatures as legally binding and equivalent in force and effect of a "wet" signature when an authorized person physically marks a document with the intent to sign the record.

Board members and ESD employees who have responsibility to execute documents may use an electronic signature. The Superintendent or designee is authorized to identify electronic signature platforms to affix electronic signatures to ESD records, appropriate to the standards of integrity, authenticity and nonrepudiation required for the transaction record. Electronic signatures may not be applied using another Board member or employee's name; records signed on behalf of another Board member or employee shall use their own electronic signature.

This authorization extends to records executed with a third party. Electronic signatures for records involving interstate transactions or required by the US federal government shall comply with the requirements of the Electronic Signatures in Global and Electronic Commerce Act.

This policy in no way affects ESD's ability to authorize or execute a transaction record using a physical medium, and shall not be construed as a prohibition on the use of traditional physical signatures.

Legal References:

Engrossed Substitute Senate Bill 6028 Chapter  
57, Laws of 2020: Uniform Electronic  
Signatures Act (eff. June 11, 2020)  
RCW 1.80 Uniform Electronic Transactions Act

15 U.S.C. Ch. 96 Electronic Signatures in  
Global and National Commerce Act

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