

Use of Electronic Signature

Purpose

To establish an electronic signature policy for the Educational Service District 123 (ESD 123) that will:

1. Promote efficiency in order to conserve public resources;
2. Establish guidelines for the use of electronic signatures for certain ESD 123 transactions;
3. Provide reasonable assurance of the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used by the ESD 123; and
4. Determine the scope of ESD 123's use of an electronic signature provider platform that meets uniform requirements and standards as the approved method for affixing an electronic signature to an electronic record.

Reducing the ESD 123's reliance on paper-based transactions will further improve information security and sharing, allow faster approval of and access to documents, and reduce costs and environmental impact. 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.

Scope, Manner, and Format of Use

The ESD 123 encourages electronic transactions and the use of electronic signatures and recognizes electronic signatures as legally binding and equivalent in force and effect to a traditional signature created when a person physically marks a document with the intent to sign the record.

The ESD 123 authorizes the use of an electronic signature platform that meets uniform requirements and standards to affix electronic signatures to ESD 123 records.

The ESD 123 Superintendent or designee is authorized to use the electronic signature platform to affix electronic signatures to ESD 123 records as provided in this policy.

The electronic signature platform is authorized to affix electronic signatures for documents, records, and contracts, except when there is a specific statute, regulation, or policy that requires such documents to be signed in a non-electronic form.

Electronic signatures may not be used on ESD 123 records requiring execution by a third party.

Electronic signatures cannot be applied using another employee's name. Records signed on behalf of the Superintendent or designee shall use their own electronic signature.

An electronic signature is an acceptable substitute for a traditional signature on any record whenever the use of a traditional signature is authorized or required, except as provided herein.

If an electronic signature is used for interstate transactions or for documents required by the US Federal government, the electronic signature shall comply with the requirements of the Electronic Signatures in Global and Electronic Commerce Act.

This policy in no way affects the ESD 123's ability to conduct a transaction using a physical medium and shall not be construed as a prohibition on the use of traditional signatures.

First Reading: 1/27/22
Second Reading: 2/24/22
Adoption: 2/24/22

Reference:

[15 U.S.C. Ch. 96 Electronic signatures in global and national commerce](#)

Board Policy Review History:

ESD 123 Board approved: 1/28/21 (as 5891)