

Resource Contact: Kathy Tarli, Human Resources Manager

References: Federal law - Federal Electronic Signatures in Global and National Commerce Act
State law – ESSB 5810 Electronic Signatures
State law – Chapter 19.34 RCW Washington Electronic Authentication Act
Statewide guidance – Office of the Chief Information Officer (OCIO)
March 19, 2020
March 10, 2020
January 1, 2020,
March 25, 2019,

Effective: April 24, 2020

Revised:

Electronic Signatures

- Purpose:** The purpose of this policy is to:
1. Provide reasonable assurance for the integrity, authenticity, and non-repudiation of electronic documents and records when electronic signatures and submissions are used and accepted; and
 2. Promote the use of electronic signatures and submissions across the agency.
- Application:** This policy applies to all employees and volunteers of Washington State Historical Society.

1. Background

The use of electronic records and electronic signatures improve customer experience and speed transaction times while reducing agency costs and increasing efficiency. Chapter 19.360 RCW makes it clear that state agencies are encouraged and allowed to use and accept electronic signatures to authenticate electronic transactions.

Unless specifically provided otherwise by law or agency rule, whenever the use of a written signature is authorized or required by this code with a state or local agency, an electronic signature may be used with the same force and effect as the use of a signature affixed by hand. However, state agencies must first meet the following two requirements in order to use and accept electronic signatures or electronic submissions:

1. State agencies are required to put in place by policy or rule, the methods and process for using or accepting electronic submissions or electronic signatures; and
2. Electronic records and signatures must be consistent with policy, standards and guidelines provided by the state's chief information officer*.

2. Policy

- A. The Washington State Historical Society (WSHS) encourages electronic transactions and recognizes electronic records and signatures in all correspondence and transactions conducted by the WSHS to the extent allowed by law. The WSHS may require physical signatures for orders, agreements, and other documents in the adjudicatory process that directly affect the rights of parties.
- B. The use and acceptance of electronic signatures and electronic submissions/records shall be consistent with the guidance and requirements put in place by the Office of the Chief Information Officer (OCIO).
- C. The specific method of electronic signature shall be approved in advance by the business owner(s) responsible for the documents or records to be signed. This approval shall be made in consultation with the agency Director.
- D. At a minimum, all approvals must consider the following criteria when determining the applicability and method of electronic signatures.
 - a. Is a signature actually required by some governing law, rule, or policy; or required by another party to the transaction?
 - b. If not required, is a signature desirable for other substantive reasons, e.g. to emphasize the significance of a transaction or bind a party to the intent of a transaction to mitigate concerns of repudiation?
 - c. Does the method of signing or the nature of the record adequately identify the signer?
 - d. Does the method of signing adequately address the risks associated with the particular type of transaction while minimizing the barriers to conducting electronic transactions?
 - e. Does the electronic signature method need to preserve the integrity of the electronic record being signed?
- E. Approvals must be documented in Section 3 of this policy and address each of the approval criteria required by this policy.

This policy and changes to this policy shall be made available on the OCIO website.

3. Approvals

Agency-initiated contracts including Heritage Capital Projects contracts

Requirement - Most contracts specifically require a signature by law and in any cases where a signature is not specifically required, the agency has determined that a signature is necessary to signify the importance of the transaction.

Signer Identity - Electronic systems for the submission of disclosure statements require login using individual credentials for access to the system. Credentials are associated with a specific account that is assigned to the individual making the submission.

Risk Assessment - A business analysis and risk assessment has been conducted by the Director and the approved method(s) adequately address any risks.

Approved Methods – 1) The phrase “Electronically signed: <Full Name>” may be substituted for hand signature or 2) an embed image of the signer’s actual signature.

Approval – Jennifer Kilmer 04/23/2020

Approved: _____
Jennifer Kilmer
Director

Date