



E-SIGNATURE POLICY

Policy Number: 023

Effective Date: 06/01/2020
Authorized by: Board of Trustees

Review Date: 06/01/2021
Approved May 27, 2020

1) Purpose:

To establish an electronic signature policy for Timberland Regional Library (TRL) developed to:

1. Promote efficiency in order to conserve public resources
2. Establish guidelines for the use of electronic signatures for certain Timberland Regional Library transactions
3. Provide reasonable assurance of the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures are used by Timberland Regional Library; and
4. Determine the scope of Timberland Regional Library's use of the current electronic signature provider DocuSign as the approved method for affixing an electronic signature to an electronic record. These policies will apply to any future replacement of the DocuSign platform

Reducing Timberland Regional Library'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. Streamlining the processes described herein that require wet signatures and replacing them with electronic signatures, when practicable, is consistent with the statutory intent to promote electronic transactions and remove barriers that might prevent the use of electronic transactions by governmental entities.

2) Scope:

This policy shall apply to all Timberland Regional Library employees, Board of Trustees, and others authorized to sign and approve transactions for Timberland Regional Library.

3) Background:

The convenience and low cost of conducting business over the Internet has the potential to increase efficiencies in all business including government business. Technological advances and an increase in the number of people using computers as part of everyday business will only continue to increase. The benefits of using electronic signatures and electronic records can reduce use of paper, save time and reduce costs associated with handling physical documents.

4) Definitions:



E-SIGNATURE POLICY

Policy Number: 023

- A. Designee: A Timberland Regional Library employee who has been designated to sign Timberland Regional Library records on another's behalf using an electronic signature.
- B. Electronic Signature: An electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.
- C. Record: Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form, except as otherwise defined for the purpose of state or local agency record retention, preservation, or disclosure.
- D. Wet Signature: A signature created when a person physically marks a document with the intent to sign the record.

5) Policy:

- A. Timberland Regional Library encourages electronic transactions and the use of electronic signatures, and recognizes electronic signatures as legally binding and equivalent in force and effect as a wet signature.
- B. Pursuant to Timberland Regional Library Board of Trustees Resolution 20-003, Timberland Regional Library authorizes the use of the DocuSign electronic signature platform, or any future replacement of such platform, to affix electronic signatures to Timberland Regional Library records. In the event that the DocuSign electronic signature platform is unavailable, other forms of electronic signatures are acceptable, provided that the electronic signatures comply with applicable statutes as appropriate, including, but not limited to the Electronic Signatures in Global and National Commerce Act, and the Washington Uniform Electronic Transactions Act effective June 11, 2020.
- C. The DocuSign electronic signature platform, or any future replacement of such platform, is authorized to affix electronic signatures to the following records: Resolutions and Adopted by the Board of Trustees, Claim Vouchers Approved by the Board of Trustees, Invoices approved for payment, HR forms and documents, and any and all contracts and agreements to which Timberland Regional Library is a party.
- D. Electronic signatures may be used on TIM Timberland Regional Library records requiring execution by a third party.



E-SIGNATURE POLICY

Policy Number: 023

- E. Electronic signatures cannot be applied using another employee's name. Records signed on behalf of the Board of Trustees, Executive Director, Deputy Director, Department Director, District Manager, Library Manager, or anyone else, by a designee shall use their own electronic signature. No one may sign a specific document without authorization by the party for whom the designee is signing. A person is authorized to sign as a designee through one of the following: policy, a Board written resolution, or a valid delegation (or sub-delegation) of authority in accordance with this policy.
- F. Refer to Policy #012 (Signatory Authority) for information on delegation of signatory authority for library contracts. The Board of Trustees authorizes the Executive Director, Deputy Director, Department Directors, District Managers, Library Managers and their designees, to use DocuSign electronic signature platform or any future replacement of such platform to affix electronic signatures to electronic records.
- G. An electronic signature is an acceptable substitute for a wet signature on records requiring the signature of any record whenever the use of a wet signature is authorized or required, except as provided herein. Generally, a contract may not be denied legal effect or enforceability solely because it is in electronic form, and if the law requires that a record be in writing, an electronic record satisfies that law. If the law requires that a document be signed, an electronic signature satisfies the law.
- H. 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.
- I. This policy in no way affects Timberland Regional Library ability to conduct a transaction using a physical medium and shall not be construed as a prohibition on the use of wet signatures.
- J. Effective June 11, 2020, in the event that the law requires that a document be notarized, acknowledged, verified, or made under oath, this requirement is satisfied if the electronic signature is of the person authorized to notarize, acknowledge, verify, or administer the oath, together with the other information required by other applicable law, is attached or logically associated with the signature or record.



E-SIGNATURE POLICY

Policy Number: 023

K. This policy is intended to be in compliance with the Electronic Signatures in Global and National Commerce Act and Washington's Uniform Electronic Transactions Act effective June 11, 2020.

6) References:

- A, S.B. 6028 - WA Uniform Electronic Transactions Act
- B. 15 U.S.C Ch. 96 - Electronic Signatures in Global and National Commerce Act
- C. Resolution M-3943 - Resolution Establishing a Method and Process for the Use of Electronic Signature Technology.
- E. TRL Policy #012 - Signatory Authority

7) Citations:

None.

By the enactment of this policy the Board of Trustees of Timberland Regional Library is concurrently rescinding any prior policy or procedure within TRL that is either in conflict with or expansive of the matters addressed in this policy.