

EvCC1025: USE OF ELECTRONIC SIGNATURE POLICY

Original Date: May 1, 2020

Revision Date: November 15, 2022

Policy Contact: President

PURPOSE

The purpose of this policy is to promote the use of electronic signatures consistent with the Uniform Electronic Transaction Act (UETA). This policy establishes a process for the usage of electronic signatures that is designed to provide reasonable assurance of the integrity, authenticity, and non-repudiation of electronic documents and records when electronic signatures and submissions are used and accepted.

The College encourages electronic transactions and recognizes electronic records and signatures in all correspondence and transactions conducted by the College to the extent allowed by law and permitted by this policy. Unless otherwise provided by law or agency rule, electronic signatures have the same force and effect as that of a handwritten signature. The College may require physical signatures for orders, agreements, and other transactions determined to be necessary as a result of the completion of a risk assessment.

The use and acceptance of electronic signatures and records shall be consistent with the Uniform Electronic Transaction Act (UETA), applicable state and federal law, and the guidance and requirements of the Office of the Chief Information Officer (OCIO). The method of authentication used for digital signatures shall comply with the e-authentication risk assessment standards provided by the Office of the Chief Information Officer (OCIO).

GENERAL REQUIREMENTS

When relying upon a digitized signature, the signer must include language in the record stating that the signer approves the request, action, or document. A valid and binding e-signature shall consist of the following elements:

- **Electronic form of signature:** An electronic signature may be created using a PIN or password for an electronic signature, relying on a digitized signature (i.e. a graphical image of a handwritten signature), or through the usage of click through/click wrap signatures (i.e. where the signer is asked to affirm his or her intent or agreement by clicking a button).
- **Identification and authentication of the signer:** A signature must be the act of a specific person to be binding.
- **Intent to sign:** An electronically signed record should contain the same signature elements captured in a paper record.
- **Association of signature to the record:** For an electronic signature to be binding it must be attached to, or associated with, the electronic record being signed. The date and time of the signature, the identity of the signer, the method used to sign the record, and an indication for the reason for signing should also be attached to the record.
- **Integrity of the signed document:** The usability of a signed electronic record requires that measures be taken to ensure the continuing integrity of the electronic record and any associated data following completion of the signing process. The protection of the electronic record can be achieved by the system that collectively manages the e-record and the associated electronic signature.
- **Employees who are aware of or suspect fraudulent activities relating to electronic signatures must immediately notify their supervisor.**
- **Authority on who should sign the document must follow the [Signature Authority Procedure](#) (EvCC1020P).**
- **Electronic documents, including those with electronic signatures, will be retained based on the [WA State Retention Schedule](#) and retained for the same duration as if a paper document.**
- **Digital or digitized signatures are permitted for financial payments, human resource documents, and contracts, provided that they are not excluded based on the criteria listed below. Unless specifically authorized by the Vice President of Finance, hand-written signatures continue to be required for the following transactions:**
 - Property title documents
 - Transactions requiring a notarized signature, sworn witness, witnessed signature, or recorded document Assumption of risk and release of liability documents for high-risk transactions for situations
 - Promissory notes (excluding those related to student loans serviced by a third party)
 - Any transactions where the entity doesn't allow e-signatures

RELEVANT LAWS AND OTHER RELATED INFORMATION

Uniform Electronic Transaction Act

Office of the Chief Information Officer (OCIO) Guidelines

REVISION HISTORY

Original Date: May 1, 2020

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APPROVED BY

President: November 1, 2022

VP Staff: November 1, 2022

Board of Trustees: November 15, 2022