



SCHOOL BOARD ACTION REPORT

DATE: November 18, 2020
FROM: Denise Juneau, Superintendent
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For Introduction: December 16, 2020

For Action: January 13, 2020

1. TITLE

Adoption of Board Policy No. 6225, Use of Electronic Signature

2. PURPOSE

This Board Action Report adopts new Board Policy No. 6225, Use of Electronic Signature, in order to formally authorize the use of electronic records and signatures for district documents.

3. RECOMMENDED MOTION

I move that the School Board adopt Board Policy No. 6225, Use of Electronic Signature, as attached to the Board Action Report.

4. BACKGROUND INFORMATION

a. Background

The Uniform Electronic Transactions Act (UETA), Chapter 1.80 RCW, adopted on June 11, 2020, repealed and replaced an earlier state statute authorizing the use of electronic records and signatures. One provision of the UETA, RCW 1.80.160, requires governmental agencies to determine whether, and the extent to which, the agency “will create and retain electronic records and convert written records to electronic records.” A second provision of the UETA, RCW 1.80.170, requires governmental agencies to determine whether, and the extent to which, the agency “will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.”

The Washington State School Directors’ Association has recommended adoption of a policy authorizing the use of electronic signatures to support efforts to reduce the reliance on paper records and allow for more timely execution of Board and district documents, particularly while Directors and many staff work remotely during the ongoing COVID-19 pandemic.

b. Alternatives

Because the UETA requires every governmental agency within the State of Washington to determine whether to authorize the use of electronic records and signatures, the alternative is for

the Board to adopt a Board Policy prohibiting the use of electronic records and signatures. This is not recommended as the current remote work environment has made it challenging to gather signatures on hard copy documents, delaying the ability for key documents—like adopted and signed Board resolutions—to be posted to the School Board website and appropriately archived.

c. Research

This proposed Board Policy was developed after review of the Washington State School Directors' Association model policy 6225 and the new Uniform Electronic Transactions Act.

5. FISCAL IMPACT/REVENUE SOURCE

This action is not anticipated to have a fiscal impact. Platforms to implement electronic signatures are currently in place for the execution of documents under this new board policy.

Expenditure: ☐ One-time ☐ Annual ☐ Multi-Year ☒ N/A

Revenue: ☐ One-time ☐ Annual ☐ Multi-Year ☒ N/A

6. COMMUNITY ENGAGEMENT

With guidance from the District's Community Engagement tool, this action was determined to merit the following tier of community engagement:

☐ Not applicable

☒ Tier 1: Inform

☐ Tier 2: Consult/Involve

☐ Tier 3: Collaborate

Proposed Board Policy No. 6225, Use of Electronic Signature, relates to administrative practices of the Board and the district to ensure that Board and district documents can be executed in a timely and safe manner. Given the proposed Board Policy relates solely to the manner in which documents are executed, Tier 1 community engagement would be utilized with the public being provided information on the updated processes through the Board's online Policy Book.

7. EQUITY ANALYSIS

As this Board Action Report relates to internal administrative practices and compliance with a new state statute, a full analysis utilizing the racial equity analysis tool and stakeholder engagement was not conducted.

8. STUDENT BENEFIT

Adoption of this Board Policy is expected to facilitate timely execution of documents, including resolutions of the Board that are posted to the Board website. This policy is not expected to have

a significant impact outside of internal operations, but will have the benefit of speeding public access—including for students—to signed Board resolutions, which are posted online.

9. WHY BOARD ACTION IS NECESSARY

- ☐ Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- ☐ Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- ☒ Adopting, amending, or repealing a Board policy
- ☐ Formally accepting the completion of a public works project and closing out the contract
- ☐ Legal requirement for the School Board to take action on this matter
- ☐ Board Policy No. _____, [TITLE], provides the Board shall approve this item
- ☐ Other: _____

10. POLICY IMPLICATION

This action would adopt new Board Policy No. 6225, Use of Electronic Signature.

11. BOARD COMMITTEE RECOMMENDATION


This motion was discussed during the Executive Committee meeting on December 9, 2020. The Committee reviewed the motion and moved the item forward with a recommendation for approval by the full Board.

12. TIMELINE FOR IMPLEMENTATION

Upon approval of this motion, new Board Policy No. 6225, Use of Electronic Signature, will be posted to the School Board website.

13. ATTACHMENTS

- Board Policy No. 6225, Use of Electronic Signature (for approval)

	<p>USE OF ELECTRONIC SIGNATURE</p>	<p>Policy No. 6225</p> <p>[DATE]</p> <p>Page 1 of 1</p>
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The district encourages electronic transactions and the use of electronic records and signatures, and recognizes electronic signatures as legally binding and equivalent in force and effect as a traditional signature made when a person physically marks a document with the intent to sign the record.

An electronic signature is an acceptable substitute for a traditional signature on records requiring the signature of any record whenever the use of a traditional signature is authorized or required, except as prohibited by law or 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 district's ability to conduct a transaction using a physical medium and shall not be construed as a prohibition on the use of traditional signatures.

Adopted: MONTH 2021

Revised:

Cross Reference: Policy Nos. 1220, 1440; 4070

Related Superintendent Procedure: 4070SP

Previous Policies:

Legal References: Chapter 1.80 RCW, Uniform Electronic Transactions Act; 15 U.S.C. Ch. 96

Electronic Signatures in Global and National Commerce Act

Management Resources: