



## Ohio Administrative Code

### Rule 3337-53-01 Interim policy regarding electronic signatures.

Effective: September 28, 2022

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#### (A) Purpose

To provide for the effective and efficient administration of university contract administration, electronic signatures are permissible when executed in accordance with this policy. The university recognizes an electronic signature as legally binding to the fullest extent permitted by law. The implementation and use of electronic signatures at the university shall remain consistent with section 1306.20 the Revised Code.

Ohio law defines an "electronic signature" as "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" and an electronic record as "a record created, generated, sent, communicated, received, or stored by electronic means." "electronic" is defined as "relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities." For purposes of this policy "electronic transaction" shall mean a transaction conducted or performed, in whole or in part, by electronic means or electronic records.

To the fullest extent permitted by law, Ohio university may elect to accept electronic signatures as legally binding and equivalent to handwritten signatures to signify agreement to electronic transactions. In the furtherance of this policy, Ohio university may:

- (1) Identify specific transactions that Ohio university will conduct by electronic means only;
- (2) Identify specific transactions that Ohio university will not conduct by electronic means;
- (3) Specify the manner and format in which electronic records must be created, generated, sent, communicated, received, and stored, and the systems established for those purposes;
- (4) Specify the type of electronic signature required, the manner and formate which the electronic



signature must be affixed to the electronic record, and the identity of, or criteria that must be met, by any third party used;

The use of an electronic signature does not mean that the record has been signed by a person authorized by Ohio university to sign that record. Appropriate procedures must be used to confirm that the person signing the record has the required signature authority. An electronic signature used by a person without the authority to sign a given record or used on a given record for which that electronic signature method has not been approved will not be considered binding by Ohio university.

Nothing in this policy limits the university's right or option to conduct a university transaction on paper or in non-electronic form, nor affect the university's right or obligation to have documents be provided or made available on paper when required by applicable policies, laws or regulations.

#### (B) Implementation

The division of finance and administration shall be responsible for the administration of this rule and shall coordinate with other divisions and offices as necessary to ensure uniform procedures for contracting with non-university parties through electronic signature.

(1) The division of finance and administration is responsible for the establishment of university standards for the use of electronic signatures. Such standards may be created and revised by the division to ensure the effective and efficient use of electronic signatures.

(2) This policy operates in conjunction with the university's delegations of authority. Electronic signatures may only be executed by an individual authorized to sign on behalf of the university.