



Ohio Administrative Code Rule 3349-3-110 Electronic signatures.

Effective: October 21, 2019

(A) Purpose

The purpose of this rule is to allow for the use of electronic signatures by methods that are practical and secure, streamline administrative processes, and comply with applicable law.

(B) Scope

This rule applies to all university employees, students, or other individuals using electronic signatures to conduct university business.

(C) Definitions

- (1) "Authorization" means an individual has verified permission and requisite authority to sign a record, electronic or otherwise, and/or perform certain operations, including executing agreements to bind the university.
- (2) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- (3) "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.
- (4) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record or executed or adopted by a person with the intent to sign the record.
- (5) "Electronic transaction" means a transaction conducted or performed, in whole or in part, by electronic means or electronic records.



(6) "Permission and requisite authority" means the university official charged with obtaining the signature in the course of executing the specific administrative task on behalf of the university in performance of his/her regular job-related duties shall assume responsibility for defining and executing the practice of using electronic signatures as defined in this rule.

(D) Rule statement

(1) An electronic signature may be accepted in all situations when the requirement of a signature or approval is stated or implied, except when law or regulation specifically requires a handwritten signature.

(2) The university official charged with executing the administrative task on behalf of the university may identify specific transactions to be executed by electronic signature.

(3) The university official charged with executing the administrative task on behalf of the university may identify specific transactions that shall not be executed by electronic signature.

(4) Nothing in this rule shall limit the university's right or option to conduct a 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.

(5) The university may specify the type of electronic signature required and the manner and format in which the electronic signature must be affixed to the electronic record, and the identity or, or criteria that must be met by, any third party used in facilitating the process.

(6) An electronic signature may not be valid if the individual who signed using such signature did not have authorization by the university to sign an electronic record.

(a) Appropriate procedures must be used to confirm the individual signing the record has the required signature authority.

(b) An electronic signature used by a person without the authority to sign such record, or used on a record for which electronic signature, is not approved by the university, shall not be considered



binding on the university.

(7) Falsification of electronic records or electronic signatures is prohibited. It is a violation of this rule for an individual to sign as if they were another individual, and any documents executed under such false pretenses is null and void at the discretion of the university.

(8) Violations

(a) Employees who violate this rule are subject to disciplinary action up to and including termination of employment, and/or potential criminal sanctions under applicable federal, state, and local law.

(b) Students and prospective students who violate this rule are subject to disciplinary action under the student conduct code, and/or potential criminal sanctions under applicable federal, state, and local law.

(c) Other individuals to whom this rule applies who violate this rule are subject to appropriate sanctions, including but not limited to, termination of the relationship and/or potential criminal sanctions under applicable federal, state, and local law.