

3356-3-16.1 Electronic signature rules.

- (A) Authority. Division (J) of section 1306.20 of the Revised Code requires Youngstown state university (“university”) to establish rules for the use of electronic signatures.
- (B) Scope. This rule applies to the implementation and utilization of electronic signatures involving the university.
- (C) Definitions.
 - (1) “Authentication.” The assurance that the electronic signature is that of the person purporting to sign a record or otherwise conducting an electronic transaction.
 - (2) “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.
 - (3) “Electronic record.” A record created, generated, sent, communicated, receive, or stored by electronic means.
 - (4) “Electronic transaction.” The exchange of an electronic record and electronic signature between the university and a person to:
 - (a) Consent to release information;
 - (b) Purchase, sell, or lease goods, services, or construction;
 - (c) Transfer funds;
 - (d) Facilitate the submission of an electronic record with an electronic signature required or accepted by the university;
or
 - (e) Create records formally issued under a signature and upon which the university or any other person will reasonably rely, including but not limited to, formal communication, letters, notices, directives, policies, guidelines, and any other record.

- (5) “Integrity.” The assurance that the electronic record is not modified from what the signatory adopted.
 - (6) “Nonrepudiation.” Proof that the signatory adopted or assented to the electronic record or electronic transaction.
- (D) Electronic signature rules.
- (1) This rule was established pursuant to division (J) of section 1306.20 of the Revised Code.
 - (2) This rule applies to electronic signatures involving the university.
 - (3) This rule shall remain consistent with electronic signature requirements of the Revised Code and applicable federal law.
 - (4) Electronic signatures shall only be used as governed by this rule and any university policy governing electronic signatures involving the university.
 - (5) ~~The~~ Under the office of the chief information officer and in collaboration with applicable business units, the university shall provide governance and guidance for implementing and utilizing electronic signatures.
 - (6) To the fullest extent permitted by law, the university recognizes an electronic signature as legally binding and equivalent to handwritten signatures to signify an agreement.
 - (7) The university may designate specific university transactions to be executed by electronic signature.
 - (8) The university may, at its discretion, elect to opt out of conducting business electronically with any party or in any transaction for any reason or no reason.
 - (9) An electronic signature that does not employ a university-approved authentication method at the time of signature may not be binding on the university.
 - (10) All security procedures and technologies shall ~~provide~~ meet university standards for authentication, nonrepudiation, and integrity to the extent that is reasonable for each electronic

transaction, as determined by the university's office of ~~information technology~~ the chief information officer.

- (11) When at any time during an electronic transaction the university requires a signature, the university shall require a separate and distinct action on the part of the person conducting the electronic transaction for each signature. The separate and distinct action shall be clearly marked as indicating intent to complete an electronic transaction or electronically sign a record. The separate and distinct action may include a series of keystrokes, a click of a mouse, or other similar actions.
- (12) Electronic signature documentation shall be maintained in accordance with the university record retention schedule and any university policy governing electronic signatures.
- (13) The university shall identify responsibilities of individuals and units regarding electronic signatures.
- (14) University policies and procedures applicable to contracts must be followed. This rule does not grant contracting authority to any individual or expand the authority already granted through university policy or otherwise.
- (15) Individuals shall report any suspect or fraudulent activities related to electronic signatures immediately to any manager or supervisor in the appropriate department, college, or division.
- (16) Employees who falsify electronic signatures or otherwise violate this rule are subject to disciplinary action up to and including termination of employment.
- (17) Students who falsify electronic signatures or otherwise violate this rule are subject to disciplinary action under the university "Code of Student Rights, Responsibilities, and Conduct."
- (18) Other members of the university community who falsify electronic signatures or otherwise violate this rule are subject to appropriate sanctions, including but not limited to termination of their relationship or affiliation with the university.