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**MEMORANDUM**

**TO:** University Council

**FROM:** Michel Beaver, CPA, Associate VP Tax & Revenue Services, Harden Scragg, Staff Attorney and Assistant Policy Counsel

**DATE:** September 2, 2022

**RE:** Consent Agenda Item for September 12, 2022 Meeting  
*Revised General Purchasing Policy*

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**I. Introduction.**

East Tennessee State University (ETSU) is required by state and federal law to establish and maintain a system of internal control. The purpose of this policy is the establishment of procedures for obtaining goods and services. This policy has undergone the following substantive revisions:

- A. Subpart II(L) Fiscal Review, has been revised to reflect the ETSU Board of Trustees' March 24, 2017 delegation of authority to the President to run day-to-day operations, management, control, and to make necessary expenditures, personnel hires, or obligations on behalf of the University. Tennessee Code Annotated § 49-8-203 outlines the powers and duties of the Board of Trustees. As provided in the statute, the Board may delegate to [the] "chief executive officer of each respective institution such powers and duties as are necessary and appropriate for the efficient administration of the institution and its programs."
  
- B. A new subpart, II(M) Advanced Fiscal Review Exemptions, has been added to the policy in recognition that the State of Tennessee Fiscal Review Committee has carved out exemptions to advanced fiscal review for certain contracts and amendments entered into by higher education institutions. Instead, these exemptions require quarterly reporting by the institution.

A copy of the policy is attached.

**II. Legal Review.**

The Office of University Counsel completed its review of the initial policy on 03/28/2022, and completed its review of the revised policy on 08/14/2022. Counsel found no legal issues, conflicts, or inconsistencies with other ETSU policies or procedures

**III. Public Comment Period.**

The policy was posted from for public comment from 8/15/2022 to 8/29/2022. No comments were submitted during this period.

**IV. Recommendation.**

**IN CONSIDERATION** of all of the above and noting the lack of public comment, the Office of University Counsel, on behalf of the Office of Business and Finance, recommends **APPROVAL** of the *Revised General Purchasing Policy*.

