

**1. Title**

Spousal Travel policy

**2. Policy**

- Sec. 1 Purpose. This policy sets forth the policy for payment or reimbursement of approved travel, meals, and expenses of spouses of chief administrative officer of The University of Texas System and its institutions, and approved travel, meals, and expenses of spouses of other employees of the U. T. System and its institutions.
- Sec. 2 Designation Authority. The Chancellor may designate the spouse of a chief administrative officer as a “Special Assistant” or “Associate to the Chief Administrative Officer” for the purpose of performing services that further the official State business purposes of the U. T. System or an institution, if the spouse is available and chooses to accept the designation. The designation is not automatic.
- Sec. 3 Services Performed by Spouse. Historically, when a chief administrative officer of the U. T. System or one of its institutions has had a spouse, subject to the spouse’s concurrence and availability, the spouse has functioned as a special representative of the U. T. System or the institution to perform services that further the official State business purpose of the U. T. System or the institution. Those services have been performed without compensation, but travel, meals, and expenses incidental to the performance of those services may have been reimbursed at actual cost or paid directly by the U. T. System or institution, as allowable by law, rule, or policy.
- Sec. 4 No Conflict with Other Responsibilities. Designation of a spouse as “Special Assistant” or “Associate to the Chief Administrative Officer” must not conflict with other employment and must be approved by the Chancellor. (See Sample Designation Request Form).
- Sec. 5 Compliance with Employment Policies. Supervision, review, evaluation, and judgment regarding employment issues must be consistent with rules relating to the appointment of relatives.

Sec. 6 Duties Performed. A spouse who is designated as a Special Assistant or Associate to the Chief Administrative Officer may act in a representative capacity for the U. T. System or an institution only when performing duties that are consistent with those described in this policy. The following duties are illustrative of services performed by the spouse of a chief administrative officer while functioning as an official representative of the U. T. System, an institution, or the chief administrative officer:

6.1 Oversight of Events. Serves as a special assistant and adviser to the Chief administrative officer and, when requested, has direct responsibility for planning, production, and oversight of official locations, events, or activities.

6.2 Community Representative. Serves with or independent of the chief Administrative officer as an official representative of the U. T. System or an institution within the institutional and broader community at meetings, workshops, conferences, community and institutional activities, alumni events, faculty/student/staff activities, and other events that are related to or support the purposes of the U. T. System or an institution.

6.3 Public Relations. When appropriate, assists the chief administrative officer or other institutional representative with public relations, development, and fundraising activities.

6.4 Other Duties as Needed. Performs other duties as assigned or deemed appropriate to the U. T. System or institutional needs.

Sec. 7 Reimbursement for Travel, Meals, and Expenses.

7.1 Travel Expenditures. All expenditures for travel by a chief administrative officer's spouse must be for a business purpose of the U. T. System or the institution and must comply with all laws and all policies of the institution and the U. T. System. All foreign travel must be approved in advance by the Chairman of the Board of Regents for the Chancellor's spouse and by the appropriate Executive Vice Chancellor for the presidents' spouse. Requests for approval of foreign travel must include a specific business purpose and an estimate of funds to be expended by the institution.

7.2 When Reimbursement Occurs. A spouse of a chief administrative officer designated as a Special Assistant, or Associate to the Chief Administrative Officer is entitled to reimbursement or direct payment, at the same rate allowable for the chief administrative officer, for travel, meals, and incidental expenses when functioning in that capacity in performing the duties described in this policy. Travel, meals, and incidental expenses not related to the performance of those duties must be paid directly by the individual and not submitted for reimbursement or billed to the U. T. System or the institution. If any billing, payment, or reimbursement is later determined to be inconsistent with this policy, the spouse or chief administrative officer must reimburse that amount to the U. T. System or the institution.

7.3 Additional Conditions and Limitations. Reimbursement or direct payment is subject to the following additional conditions and limitations:

- (a) Steps to Reduce Cost. When the chief administrator officer and spouse travel together, available steps to reduce institutional cost should be followed (e.g., hotel rates where single/double occupancy can be negotiated at same rate, advance ticket rates, two-for-price-of-one ticket options, use of earned points for second ticket, shared use of rental cards, etc.).
- (b) Review of Reimbursements. Consistent with Board of Regents' *Rules and Regulations*, Rule 20205, the chief business officer must determine whether an expense included in a request for payment or reimbursement of the Special Assistant or Associate to the Chief Administrative Officer is for a bona fide business purpose, except that the General Counsel to the Board of Regents must make that determination regarding expenses incurred by the spouse of the Chancellor.
- (c) Responsibility for Taxes. Taxes, if any, resulting from the reimbursement or payment of expenses of the spouse designated as Special Assistant or Associate to the Chief Administrative Officer are the obligation of the spouse or, if appropriate, the chief administrative officer.

Sec. 8 Other Benefits Available. Other benefits provided to the spouse of a chief administrative officer designated as a Special Assistant or Associate to the Chief Administrative Officer include:

- 8.1 an appropriate identification card to provide access to Institutional libraries and other facilities,
- 8.2 official business cards,
- 8.3 special parking permits where needed for use at facilities owned or controlled by the U. T. System or the institutions, and
- 8.4 adequate workspace and administrative support necessary to perform assigned duties.

Sec. 9 Spouses of Other U. T. System Employees.

- 9.1 Eligible Reimbursements. Occasionally, travel, meals, and expenses of the spouse of other employees of the U. T. System or an institution will be deemed to be for a bona fide business purpose and a benefit to the U. T. System or the institution. Under those circumstances and with the prior written approval of the chief administrative officer, the spouse is entitled to reimbursement or direct payment for the allowable cost of travel, meals, and incidental expenses in accordance with Section 5 of this policy.
- 9.2 Conditions for Reimbursement. The propriety of reimbursement is dependent in part on the nature of the employee's office, the spouse's traditional role, the purpose of the particular trip, and the spouse's connection with that purpose. For example, the presence of the spouse of a vice president or a dean may be necessary at a major event for supporters or potential donors where attendance by spouses is customary and expected. See Texas Attorney General Opinions No. H-1089 (1977), No. MW-93 (1979), and No. LO-90-31 (1990).

Sec. 10 Reporting for Federal Income Tax Purposes. Travel by a spouse of an employee of the U. T. System or an institution that does not serve a bona fide business purpose must be paid for by the employee or spouse

individually. The appropriate payroll office or other business office must evaluate any spousal travel that is paid for by the U. T. System or the institution to determine whether the payment is taxable for federal income tax purposes. The payroll office or other business office must include the amounts that it determines are appropriate in the employee's W-2 or report those amounts under other internal Revenue Service procedures. Department or other divisions of the U. T. System or the institution must provide all relevant information regarding spousal travel to the appropriate payroll or business office.

Sec. 11 Reporting. With respect to the reimbursement of travel, meals, and expenses of spouses of the chief administrative officer, the chief administrative officer shall comply with the reporting requirements of Board of Regents' *Rules and Regulations*, Rule 20205.

Sec. 12 Audits. The reimbursement of travel, meals, and expenses of spouses of chief administrative officers resulting from this policy shall be subject to the audit requirements of Board of Regents' *Rules and Regulations*, Rule 20205.

Sec. 13 Interpretation. The Associate Vice Chancellor – Controller and Chief Budget Officer officially interprets this policy and is responsible for revising it as necessary to meet the changing needs of the U. T. System and statutory requirements.

### **3. Definitions**

Chief Administrative Officer –the Chancellor or the president of each U. T. System institution.

### **4. Relevant Federal and State Statutes**

[Texas Attorney General Opinion No. H-1089 \(1977\)](#)

[Texas Attorney General Opinion No. MW-93 \(1979\)](#)

[Texas Attorney General Opinion No. LO-90-31 \(1990\)](#)

**5. Relevant System Policies, Procedures, and Forms**

[Board of Regents' Rules and Regulations, Rule 30106, Nepotism](#)

[Board of Regents' Rules and Regulations, Rule 20205, Expenditures for Travel and Entertainment by Chief Administrators and for the Maintenance of University Residences](#)

[Sample Designation Request Form](#)

**6. System Administration Office(s) Responsible for Policy**

Office of the Controller

**7. Dates Approved or Amended**

July 11, 2002

August 20, 2008

May 26, 2011

August 15, 2012

**8. Contact Information**

Questions or comments about this policy should be directed to:

- [bor@utsystem.edu](mailto:bor@utsystem.edu)