

Spousal Service Agreements: Negotiating Pay, Travel, and Tax



The Council of
Independent Colleges

Under
the Big Tent



2024 Presidents Institute Spouses and Partners Program
Independent Higher Education in a Democratic Society

The Diplomat Beach Resort | January 4–7, 2024

Thank you to our sponsor

Build your schedule and join your colleagues in the Guidebook interact feed.

guidebook

PARKHURST.
DINING



The Council of
Independent Colleges

Under
the Big Tent

2024 Presidents Institute **Spouses and Partners Program**
Independent Higher Education in a Democratic Society

Presenters

Michael Frandsen, President, Wittenberg University

Sharon Frandsen, Presidential Spouse, Wittenberg University

Tyrone P. Thomas, Partner, Holland & Knight

Chair

Robert A. Clark, President, Husson University

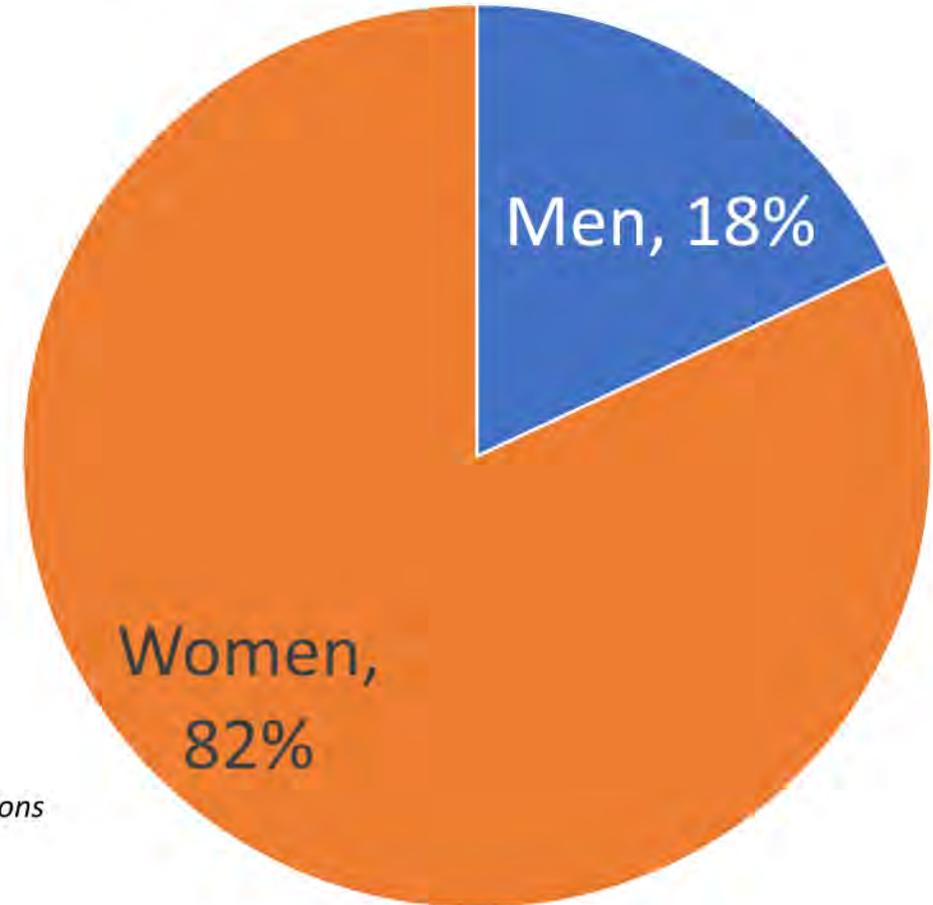


The Council of
Independent Colleges

Under
the Big Tent

2024 Presidents Institute **Spouses and Partners Program**
Independent Higher Education in a Democratic Society

Gender of Presidential Spouses



N=427

Source:
The Lives of Presidential Partners in Higher Education Institutions
Hendel, Kaler, & Freed
University of Minnesota, Twin Cities
2016

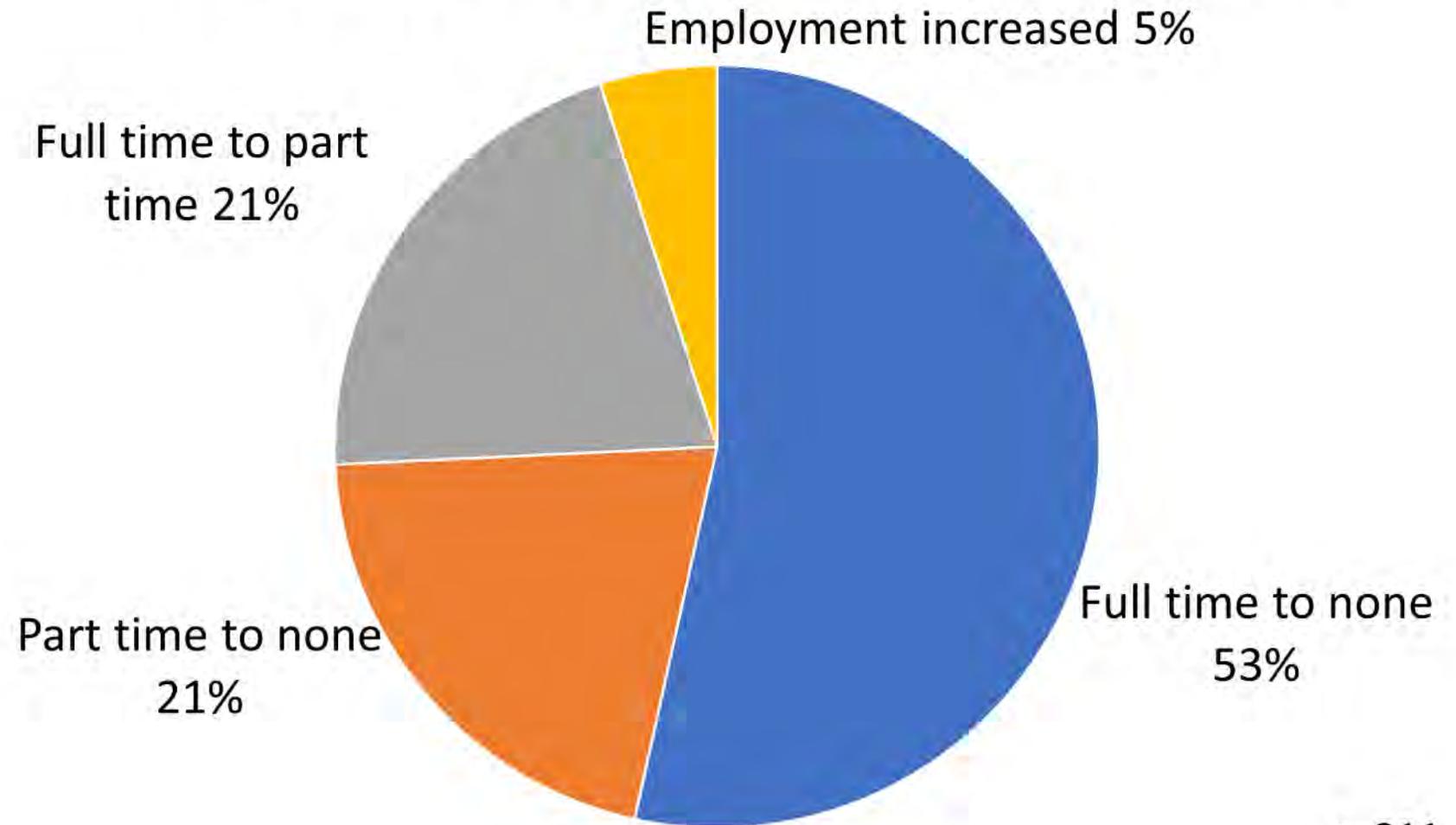


The Council of
Independent Colleges

Under
the Big Tent

2024 Presidents Institute Spouses and Partners Program
Independent Higher Education in a Democratic Society

Change in Outside Employment Status



n=211

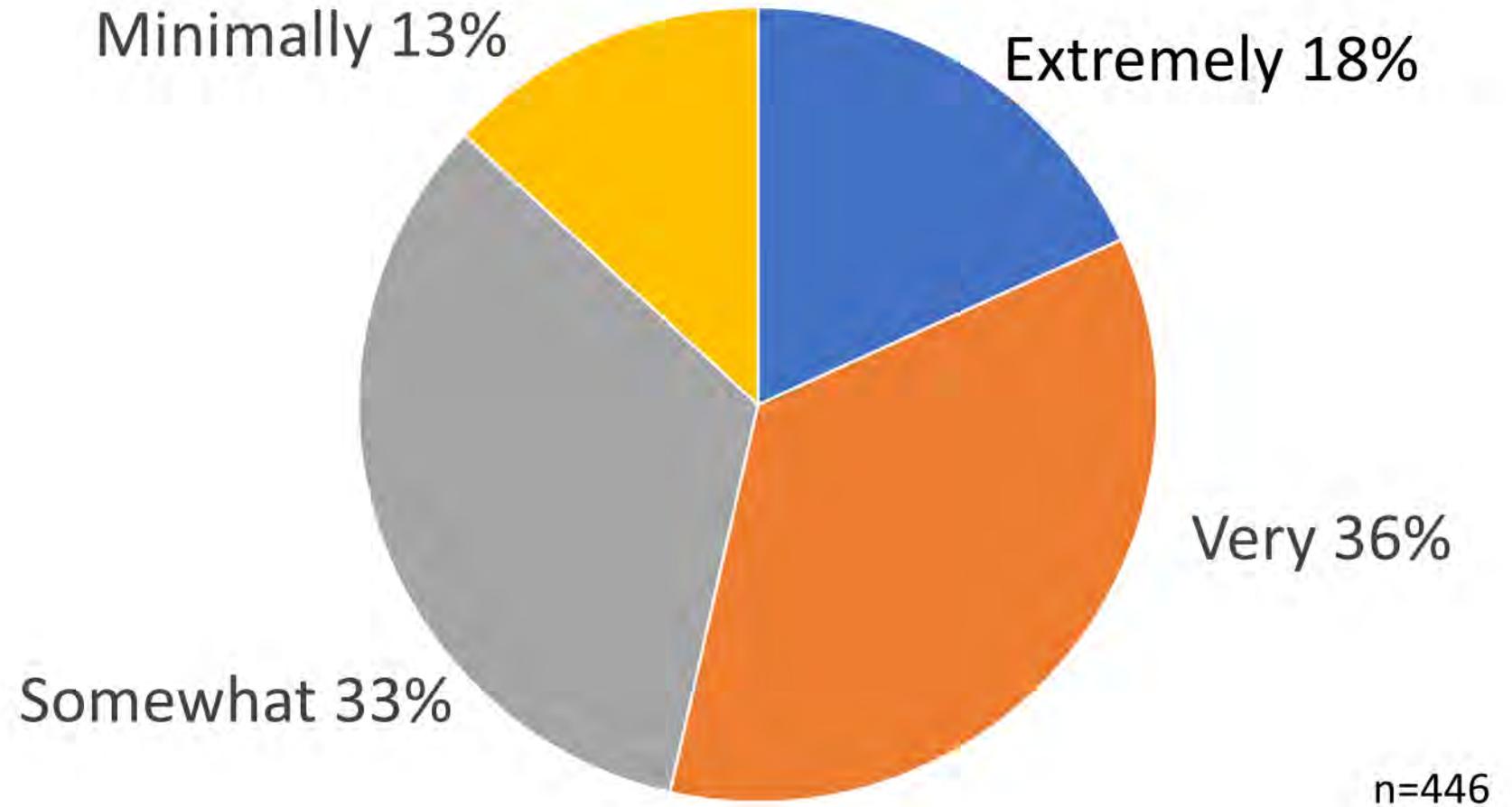


The Council of Independent Colleges

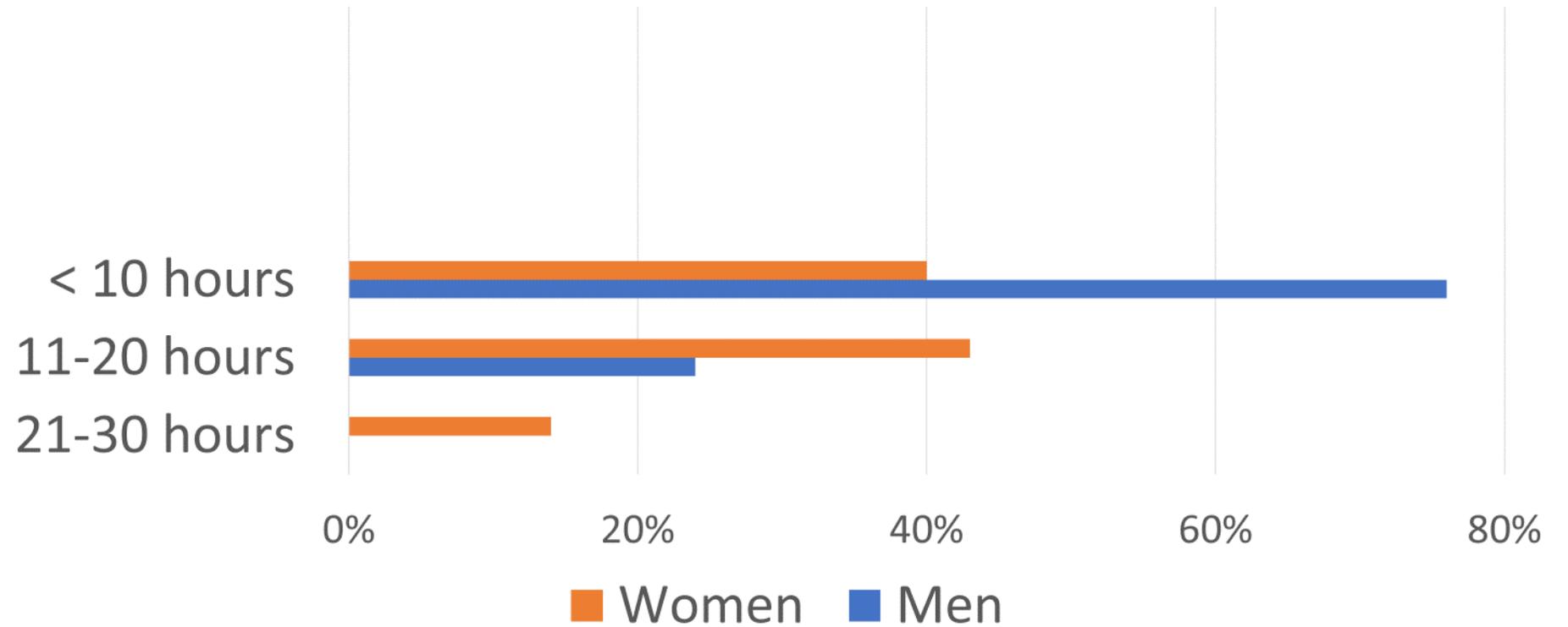
Under the Big Tent

2024 Presidents Institute Spouses and Partners Program
Independent Higher Education in a Democratic Society

Level of Involvement on Campus



Reported Weekly Hours of Engagement



n=106 women
33 men

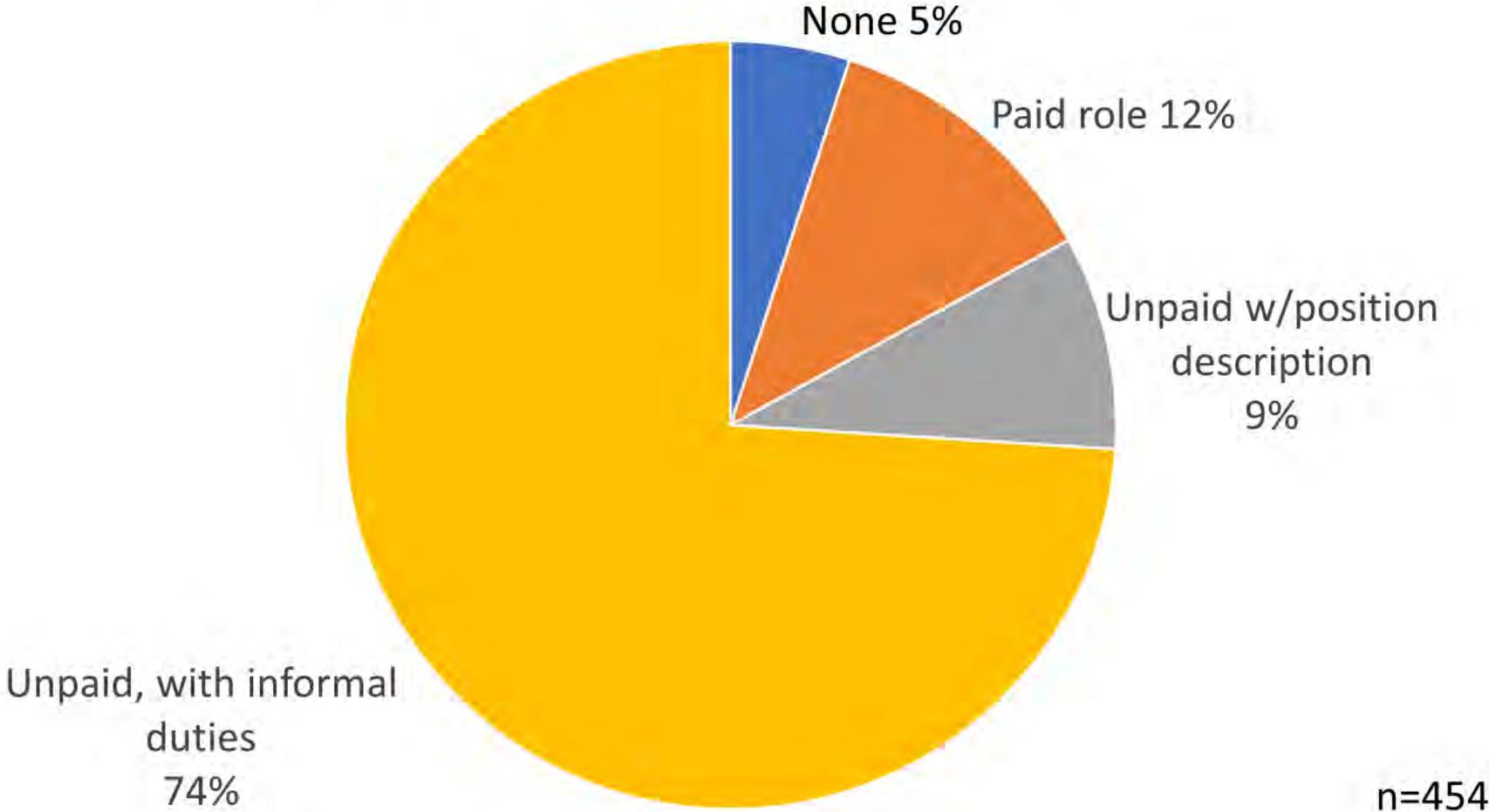


The Council of
Independent Colleges

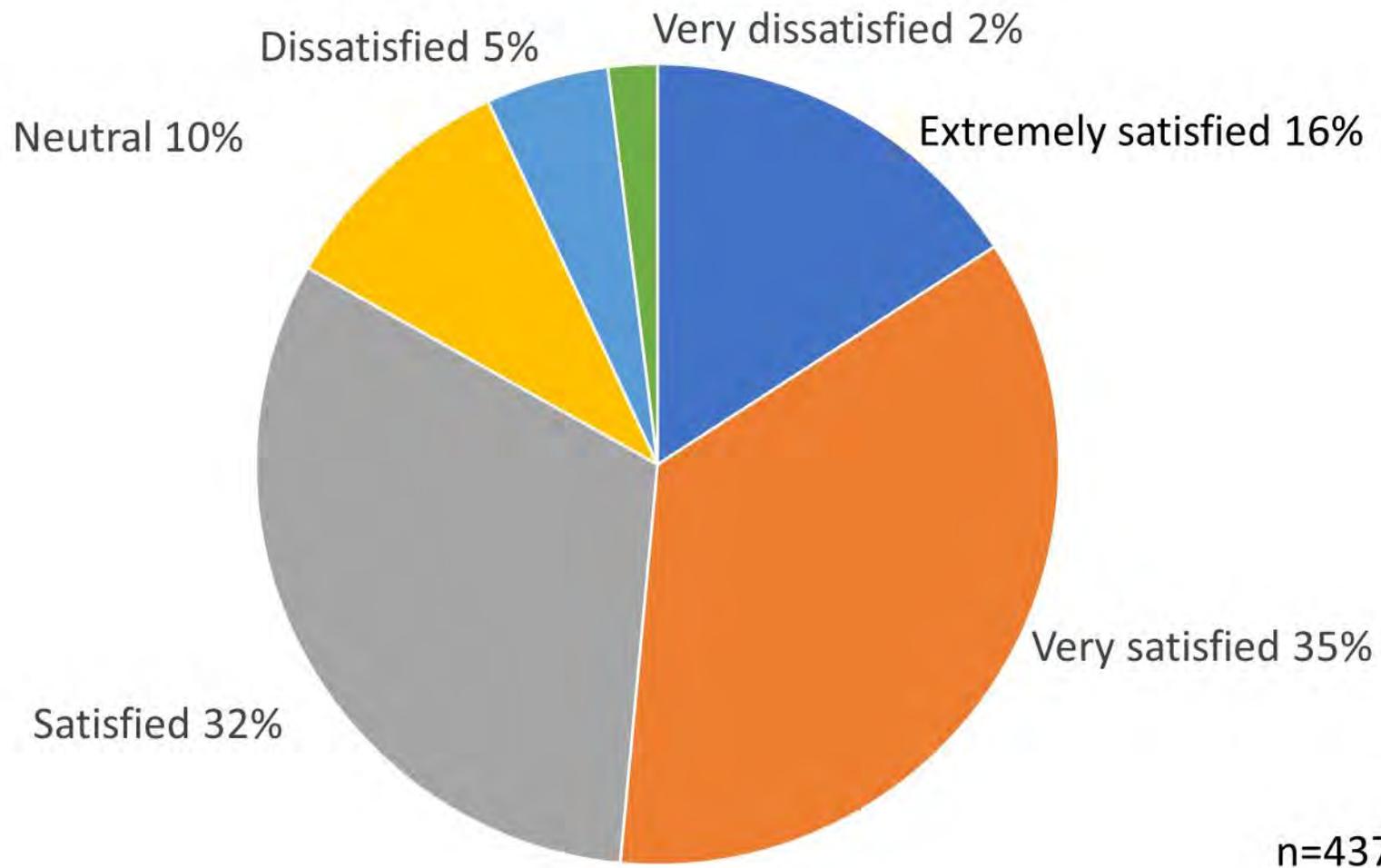
Under
the Big Tent

2024 Presidents Institute Spouses and Partners Program
Independent Higher Education in a Democratic Society

Role in the Institution



Satisfaction in the Role



The Council of
Independent Colleges

Under
the Big Tent

2024 Presidents Institute **Spouses and Partners Program**
Independent Higher Education in a Democratic Society

Reimbursement of Expenses and Taxation

- Reimbursed travel expenses for presidential spouses/partners are generally considered a taxable benefit unless the spouse/partner has a specific business purpose for the travel.
- It is not generally considered a taxable benefit to reimburse an employee or volunteer for his/her travel expenses
- An employment agreement or volunteer agreement for the president's spouse/partner is generally sufficient documentation to support the reimbursement (non-taxable) travel of the spouse/partner

Reference: *The Benefits and Considerations of Having an Employment Agreement or Formal Volunteer Agreement with the President's Spouse*; Darron C. Farha, M.B.A, J.D.; Vice President and General Counsel, Valparaiso University



The Council of
Independent Colleges

Under
the Big Tent

2024 Presidents Institute Spouses and Partners Program
Independent Higher Education in a Democratic Society

Insurance Liability

- Institutional insurance policies should cover spouses/partners with employment agreements, and in most cases also those with volunteer agreements
- Coverage typically includes general liability, workman's compensation, international, and automobile insurance policies Check with your own institution for clarification on this issue
- A volunteer agreement should also establish the insurability of the spouse/partner
- Check with your own institution for clarification on this matter



Pros and Cons of Employment/Volunteer Service Agreements

PROS

- Provides additional credibility and clarity for the role
- Can clarify expectations relative to predecessors
- Allows for possible compensation
- Establishes position relative to tax and insurance issues
- Legitimizes the provision of assistance to the spouse/partner for a variety of needs, e.g., staff support, housing, child care, etc.
- If paid, spouse/partner may continue to receive benefits such as retirement, social security, etc.

CONS

- Reduces flexibility for the spouse/partner
- Requires reporting relationship that can often be awkward
- Can create resentment within the campus community—doesn't "deserve" this job...padding the president's pay at the expense of other institutional needs
- Imposes employment rules on the spouse/partner, e.g., mandatory trainings
- Can constrain the couple's relationship and communications if both the president and spouse/partner are employees



Q&A Session



The Council of
Independent Colleges

Under
the Big Tent



2024 Presidents Institute Spouses and Partners Program
Independent Higher Education in a Democratic Society

The Diplomat Beach Resort | January 4–7, 2024

Thank you for attending
this session!



The Council of
Independent Colleges

PARKHURST.
DINING