UTDPP1071 - Policy and Procedures Regarding Payments to Persons Who Are Not U. T. Dallas Employees

Policy Statement

General Provisions

In accordance with rules, regulations and policies of The University of Texas System, prior written approval as described in this policy must be obtained before U.T. Dallas funds from any source, including grant and contract funds, may be expended for the following categories of payments to persons who are not employees of U.T. Dallas:

1. Types of Payments
   1. Fees for Research Consulting Services (see definition below)
   2. Fees for Consulting Services (see definitions below)
   3. Fees for Professional Services (see definition below)
   4. Fees for Guest Lecturer Services
   5. Fees for Continuing/Extended Education Teaching
   6. Fees for Correspondence Course Instruction
   7. Fees for Coaching Clinics or for Sports Camps or Other Camps (unless covered by official contracts for coaches)

2. Definitions
   1. Texas law defines “consulting services” as: ... the service of studying or advising a state agency under a contract that does not involve the traditional relationship of employer and employee.
   2. Research Consulting: Some sponsored research grants or contracts may authorize "consulting" under the terms of the research grant or contract. Where used in this policy, the term "Research Consulting" refers only to consulting which is specifically authorized in the grant or contract proposal and in the approved budget for the grant or contract. Furthermore, such consulting applies only to inter-departmental consulting.
   3. Texas law defines "professional services" as those services performed within the scope of the practice of accounting, architecture, landscape architecture, land surveying, optometry, medicine, professional engineering, real estate appraising, or professional nursing. Typically these services are performed by a person who is registered or licensed as an architect, landscape architect, land surveyor, real estate appraiser optometrist, physician, surgeon, registered nurse, certified public accountant or professional engineer in connection with their professional employment or practice.

Payments for the Services of Personnel of Other State of Texas Institutions of Higher Education (Non-U.T. Components) or Agencies of the State of Texas

1. Payments for the services of employees of non-U.T. System public institutions of higher education, or other agencies of the State of Texas shall be initiated and governed, insofar as practicable, by Interagency Cooperation Agreements which must be submitted to the Vice President for Budget and Finance not less than ten (10) working days in advance of the date the requested services are scheduled to begin. If Interagency Cooperation Agreements are not used, such payments will be made under the provisions of the sections regarding consulting arrangements below, which may require the advance written approval of the President and the Chief Administrative Officer or agency head of the Texas public institution of higher education or state agency via the Authorization for Professional Services form.

2. When payments are for allowable travel reimbursement only, presidential/agency head approvals are not
required and it is not necessary to use the Authorization for Professional Services form. The University's Travel Voucher should be used in these cases to supplement the AFPS for reimbursable travel expenses.

Payments to Faculty and Staff of Other Component Institutions of The University of Texas System

1. U.T. Dallas will pay consulting fees (whether research consulting or consulting services) or lecture fees to a regular budgeted employee of another component institution of The University of Texas System only when it is determined in advance and in writing by the President of the receiving component institution that it is in the best interest of that receiving component institution and the State of Texas to do so. Such service by an employee of one component institution for the benefit of another component institution must also be approved in advance and in writing by the President of the institution by which the consultant or lecturer is regularly employed in a budgeted position (the providing institution). Copies of the specific, written authorization must accompany the U.T. Dallas payment voucher (see Section VII. below). Failure to request written approval of the President of either the providing institution or the receiving institution in advance (10 working days) of the date on which the service or services is/are to begin may result in disapproval by either President and, for this reason, could result in non-payment by the receiving institution.

2. When payments are for allowable travel reimbursement only, presidential/agency head approvals are not required and it is not necessary to use the Authorization for Professional Services form. The University's Travel Voucher should be used in these cases to supplement the AFPS for reimbursable travel expenses.

3. Forms requesting services of an employee of a component institution of The University of Texas System (or an employee of another Texas public institution of higher education or other agency of the State of Texas) must be processed in time to be submitted to the Office of the Provost not less than ten (10) working days in advance of the date the requested services are scheduled to begin.

Payments for Consulting Services, Professional Services, Guest Lecturers or Correspondence Course Teaching to Individuals Who Are Not State Employees or to Entities Which are Not State Agencies

1. External consulting services, professional services, guest lecturers, and correspondence course teaching by non-employees of U.T. Dallas may at times be necessary.

2. Payment may not be made to providers of consulting services, professional services, guest lecturers or for correspondence course teaching (or similar services) until approved by the Office of the Vice President for Administration and/or the Provost and submitted to the Office of Procurement Management.

Certification and/or Procedural Requirements for Payments to Consultants, Research Consultants, Guest Lecturers, Providers of Professional Services, or Correspondence, Extension, and Continuing Education Course Instructors

1. To obtain prior written approval for services be provided by a non-employee, the Authorization for Professional Services form must be completed depending on the scope of work, to the Department Head, Dean, division Vice President, or Provost and submitted to the Office of Procurement Management no less than ten (10) working days prior to the date on which the proposed services are to be provided. Individuals shall be selected on the basis of qualifications and expertise (considering the nature and extent of the services to be performed), and the statement of justification must document that the services are essential to the operations of the University. Additional written documentation of the individuals professional qualifications may be submitted with the Authorization for Professional Services.
2. Payments to non-state employees are subject to certain Internal Revenue Service regulations described in item F below.

3. The Payee Information Form W-9 or W-8 must be completed and submitted with the Authorization for Professional Services for first time providers. This form will be reviewed in the Office of Procurement Management for compliance with IRS rules. This office also approves the Authorization for Professional Services form for the President.

4. Complete and appropriate written documentation must be provided before payments may be made from any source of university funds to consultants, research consultants, lecturers, continuing education, extension or correspondence instructors or other individuals providing professional services to the University. A copy of the Authorization for Professional Services form must be provided with the voucher submitted for payment. Where appropriate, an official invoice submitted by the individual upon completion of the services for which payment is being made will usually be considered adequate documentation if the invoice is consistent with payment details shown on the Authorization for Professional Services form.

5. In accordance with Internal Revenue Service regulations, payments for continuing education teaching by non-U.T. Dallas employees will be subject to the appropriate payroll rules, regulations, and procedures that apply to regular U.T. Dallas employees.

6. All Purchase Vouchers submitted for payment to persons who are neither regular nor part-time employees of U.T. Dallas must contain or be accompanied by the following information regardless of the source of university funds from which payment is being made:
   1. The authorized signature of the person who has responsibility for administration and control of the funds being disbursed.
   2. The signature of the payee if there is no official invoice included with documentation supporting the request for payment. This signature, if required, must be contained on the applicable signature line in the "Certification" section of the purchase voucher.
   3. The permanent mailing address of the payee. (All checks to the payee will be mailed to the permanent address provided by the payee.) All exceptions to this practice must be approved in writing by the Assistant Vice President for Procurement Management or Executive Director of Procurement Management.
   4. The Social Security number of the payee. (NOTE: Internal Revenue Service regulations prohibit the university from making payments to foreign nationals or any other individual who does not have a Social Security number or an IRS issued Taxpayer Identification Number. Contact the Office of Procurement Management for information on IRS requirements.)
   5. Receipts for transportation, lodging, meals, and other authorized travel expenses must be provided with the voucher requesting payment to the payee for such expenses. Travel Vouchers should be used when reimbursing state employees or prospective employees. Purchase Vouchers should be used when reimbursing other payees. Reimbursement of expenses will not be authorized if required receipts are not provided. Any exceptions to this requirement must be approved in writing by the Assistant Vice President for Procurement Management.
   6. When payments are to state employees and are for allowable travel reimbursement only, presidential/agency head approvals are not required and it is not necessary to use the Authorization for Professional Services form. The University's Travel Voucher should be used in these cases.
   7. Expense payments shall be made in accordance with currently applicable U.T. System rules, regulations, and guidelines which govern reimbursement of such expenses and shall be covered in the related contract or letter of agreement for services.

Policy History

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