



II-2.20(A) UNIVERSITY OF MARYLAND POLICY AND PROCEDURES ON LEAVE WITHOUT PAY FOR FACULTY

(Approved by the President August 1, 1991; Amended and approved on an interim basis pending Senate review on June 23, 2020)

I. Purpose

There are situations in which a temporary leave of absence without pay from the University may be granted to a faculty member. This policy and procedures set forth conditions for granting such requests.

II. Definitions

- A. “Leave Without Pay” (LWOP) means a temporary and fixed-period reduction in service to the University, for up to one year, with concomitant reduced compensation. It does not include a sabbatical leave. A LWOP is not a change from full-time (100%) to part-time status or a change in calculating the appointment’s full-time equivalency (FTE). A LWOP may be:
 - 1. Partial: reduced service and compensation; or
 - 2. Full: complete suspension of compensable services.
- B. “Sabbatical Leave” means a period of paid leave granted after six years of service at the University to tenured faculty members who wish to conduct scholarly work and research activities that would advance the faculty member’s standing in the professional community and further the University’s mission.
- C. “Unit head” shall refer to a department Chair, Dean, or any University administrator who has a supervisory relationship to a faculty member who is seeking a LWOP.

III. Policy

- A. This policy and procedures allow for LWOP in accordance with the University System of Maryland (USM) Policy on Leave Without Pay for Faculty (II-2.20).
- B. This policy and procedures apply to all eligible University of Maryland faculty covered by the provisions of the University of Maryland Policy & Procedures on Appointment, Promotion, and Tenure of Faculty (II-1.00[A]).
- C. The authority to approve LWOP requests lies with the President.
 - 1. The President has delegated the authority to approve LWOP requests and renewals to the Senior Vice President and Provost.

- D. This policy and procedures address extended leaves that are not covered under the University of Maryland Procedures Related to Family and Medical Leave for Faculty (II-2.31[A]). They do not apply to short-term leave for jury duty, illness, or personal reasons; sabbatical leave; or permanent reduction of the full-time-equivalent (FTE) University appointment of the faculty member.

IV. Applicability and Procedures

A. Eligibility

1. To be eligible for a LWOP, a faculty member must:
 - a. Be employed on a full-time term or continuing contract; and
 - b. Normally, have been employed at the University as a faculty member for at least one year prior to the beginning of the proposed leave. Exceptions must be approved by the Senior Vice President and Provost.

B. Criteria for Approval

1. LWOP requests must fulfill specific criteria for consideration:
 - a. The LWOP should not significantly disrupt the program of the faculty member's academic unit(s).
 - b. The intended activities during the LWOP should benefit the University. Benefits may include, but are not limited to:
 - i. Support for the University's mission of teaching, research, and service;
 - ii. Development of University derived innovation, or entrepreneurial activities;
 - iii. Public service, or improvement of the public welfare; or
 - iv. Enhancement of a faculty member's professional competence or stature.
2. A LWOP may be granted for personal reasons, which must be substantiated upon request.

C. Specific Circumstances for LWOP

1. Opportunities or circumstances that may merit a LWOP include:
 - a. **Public Service:** LWOP may be granted to allow a faculty member to serve in a position in federal, state, and local government agencies or to perform some other form of public service that requires a temporary interruption of normal University activities. Such LWOP can improve a faculty member's professional competence upon their return to the University. Service of this nature is also a contribution

that the University community can make to the public good by lending the expertise of its members to improving the public welfare.

- b. Private/for-profit Sector Engagement: LWOP may be granted to allow faculty to serve in positions within the private/for-profit sector to foster collaboration, entrepreneurship, and innovation. Such LWOP can improve a faculty member's professional competence upon their return to the University and foster collaborative ventures and community engagement.
- c. Non-profit and Non-governmental Institution Sector Engagement: LWOP may be granted to allow faculty to serve in positions within the non-profit or non-governmental institution sectors such as foundations or national academies that are intended to foster collaboration and/or to serve the public good. Such LWOP can improve a faculty member's professional competence and standing upon their return to the University, foster collaboration, and promote community engagement.
- d. Personal Reasons: LWOP may be granted for specific, unusual personal circumstances. Such LWOP may be needed in cases of significant personal situations, such as poor health or unusual family obligations.

D. Terms and Conditions

- 1. LWOPs are approved for a period of one year or less.
- 2. Extensions of LWOPs beyond one year are discouraged and will only be approved upon demonstration of exceptional circumstances by the faculty member.
- 3. LWOPs for periods greater than one year that are deemed to benefit the University (as identified in Section IV.C.1.a-c) require a Memorandum of Understanding (MOU) between the faculty member, the faculty member's Unit Head(s), and other relevant parties, as appropriate. The MOU requires approval of the Senior Vice President and Provost.
 - a. At a minimum, the MOU should articulate the rationale for the extended leave period, the conditions and terms of the extended leave, and the start and end dates of the leave.
- 4. LWOP may not be contiguous with sabbatical, except in exceptional circumstances and with approval of the Senior Vice President and Provost.
- 5. LWOP may not be granted to a faculty member who holds a permanent faculty position at another institution.
- 6. If applicable, faculty on LWOP may not retain their University administrative positions.

E. Responsibilities of Faculty

1. Faculty requesting a LWOP must:
 - a. Obtain any necessary approvals from University oversight bodies prior to applying for a LWOP.
 - b. Work with appropriate University entities to develop and obtain approval of any memorandums of understanding related to the intended leave if applicable and necessary.
 - c. Contact the Benefits Office regarding the impact of the LWOP on benefits eligibility.
 - d. Submit a request in writing to the Unit Head at least six months in advance of the leave. Requests submitted less than six months in advance may be considered when there are unusual circumstances. Requests must contain:
 - i. A description of the purpose of the leave;
 - ii. A description of how the leave conforms to the requirements of the guidelines articulated in this policy and procedures;
 - iii. A plan to minimize disruption of the academic program;
 - iv. Confirmation by the faculty member that the faculty member has obtained any necessary and applicable University reviews and approvals; and,
 - v. Attestation by the faculty member that they will comply with any necessary University requirements determined necessary for their LWOP request.

F. Responsibility of LWOP Approvers

1. Upon receiving a request for a LWOP, the Unit Head(s) must:
 - a. Ensure that faculty members on LWOP understand applicable restrictions:
 - i. On the faculty member's use of University intellectual property (including intellectual property developed by the faculty member);
 - ii. On interactions with University students; and
 - iii. Imposed by public ethics law and/or relevant University policies and guidelines governing such matters as conflicts of interest and export controls.
2. Ensure that the LWOP complies with USM and University policies and review requirements such as conflict of interest/commitment, intellectual property, and export controls prior to recommending a LWOP for approval.

3. Forward the application, together with their recommendation, to the next level administrator.
4. The Senior Vice President and Provost will make the final decision to grant or deny LWOP requests and will be responsible for notifying the faculty member in writing.
5. The decision by the Senior Vice President & Provost is final and not subject to appeal or grievance.

V. Impact of LWOP

A. Tenure

1. In approving the LWOP, the Dean of the faculty member's tenure home shall recommend whether the period of the LWOP should delay the clock before consideration for tenure pursuant to the University of Maryland Policy & Procedures on Appointment, Promotion, and Tenure of Faculty (II-1.00[A]). A tenure delay is not automatic and will undergo a review and approval process pursuant to the University of Maryland Policy on Extension of Time for Tenure Review Due to Personal and Professional Circumstances (II-1.00[D]).
2. If a tenure delay is not specifically requested, and LWOP is approved without mention of tenure delay, the period of LWOP shall count as part of the period prior to mandatory review for tenure.

B. Sabbatical Leave

1. The LWOP shall not count toward the period used in determining eligibility for sabbatical leave.

C. Other Benefits

1. A faculty member on LWOP may continue to participate in retirement, health and medical programs, and other benefit programs only to the extent and under the conditions permitted by each program.
2. Upon being granted leave, it is the responsibility of the faculty member to contact the Benefits Office to determine which benefits will continue during the LWOP.