

Guidelines on Interpreting General Statute § 126-5(c1) (8): Instructional Research and Public Service Staff Exempt from the State Personnel Act

North Carolina General Statute § 126-5(c1) [State Personnel Act] provides that the following employees are exempt from the provisions of this statute:

- (8) Instructional and research staff, physicians, and dentists of the University of North Carolina, including the faculty¹ of the North Carolina School of Science and Mathematics.

The Office of State Personnel and the University of North Carolina have agreed that the following shall govern the interpretation and application of the terms “instructional” and “research” as used in N.C.G.S. § 126-5(c1)(8)

1. Instructional, Research, & Public Service² (IRPS)

EPA non-faculty Instructional, Research, and Public Service positions deliver the core-mission activities of the University: creating and disseminating knowledge through direct instruction, research, and public service; or performing professional-level duties that are integral to and uniquely supportive of that work. The purpose of each such position must be substantially engaged in the regular academic, educational, research, or public-service/extension activities of the University. Such positions require the exercise of professional expertise and discretion in determining the nature and content of the instructional-, educational-, research-, or public-service-related activities, and in evaluating the effectiveness of such activities, and/or involve significant and independent interaction with participants in the University's instructional, educational, research, or public-service programs.

The ongoing job responsibilities for such positions must:

- a. Engage in or be uniquely supportive of instruction, student success, and/or the direction or coordination of education or academic-supportive activities; AND/OR
- b. Engage in or be uniquely supportive of original scholarship, creativity, or scientific research efforts, and the dissemination of such research/scholarship results (including dissemination through extension/public service). The ongoing job responsibilities must be involved with independent research design, implementation of research procedures, analysis of data, interpretation of research results, and/or dissemination of results through publication or public service; AND/OR
- c. Serve as a staff physician or staff veterinarian (without faculty rank), providing clinical healthcare services to human or animal populations.

Minimum Education and Experience

EPA non-faculty IRPS positions generally require post-baccalaureate credentials (e.g., Master's degree or higher), although a bachelor's degree plus alternative or equivalent professional training and experience may be substituted for the advanced degree. It is recognized that in some areas such as information technology, admissions, financial aid, and athletics coaching and athletics management, appropriate qualified candidates may hold baccalaureate rather than

*[Supersedes Policy 300.2.5[G] originally entitled “Guidelines on Interpreting General Statute, § 126-5(c1)(8): Instructional and Research Staff Exempt from the State Personnel Act”]

¹“Faculty” positions at the North Carolina School of Science and Mathematics are those positions which are subject to its Regulations on Faculty Employment. Positions directing staff that qualify as “Faculty” also qualify as “Faculty.”

²Positions directing staff that qualify as “Instructional” also qualify as “Instructional.” Positions directing staff that qualify as “Research” also qualify as “Research.”

advanced degrees. Positions for which post-baccalaureate credentials are not required, or for which specific degrees or certification are required, have education and experience requirements listed.

For purposes of reporting and workforce administration, these positions are subcategorized below. The individual EPA IRPS subcategories below may include example statements of minimum education and experience for positions which would not require a Master's degree or higher, or where specific degrees/certification/licensure is required.

The following roles represent these characteristics:

Academic Advising & Assessment:

Positions whose primary purpose is to advise students on academic matters such as selection of a major area of study, course selection, and academic performance. Such positions may include individuals who provide student testing and assessment a part of the academic advising process.

Academic Preparation & Enhancement:

Positions whose primary purpose is to improve student academic preparation through such means as tutoring and supplemental instruction, or to direct programs designed that enhance the educational experience of enrolled university students or targeted secondary school students to help prepare them for post-secondary education. This includes positions focused on enhancing the academic preparation of "at risk" student populations.

Academic Standards:

Positions whose primary purpose is to develop and/or administer academic standards, curricula, and degree requirements for degree-granting programs.

Academic / Research IT Management:

Positions whose primary purpose is to direct staff in providing information technology services that directly support the institution's academic or research missions; these are typically individuals at the Director-level within a school-wide, college-wide, or campus-wide role, as well as positions in large, specialized research or clinical centers. Note: This category is not intended for individuals who direct staff members who provide generalized or administrative information technology support that is not directly tied to an academic or research activity of the campus.

Athletics Coaching and Athletics Management:

Positions whose primary purpose is to coach student athletes for teams sponsored by the institution, to serve as trainers to student athletes, as well as senior-level professionals with institutional responsibility for in student-athlete programs in areas of compliance, and major sports operations. Note: would not include equipment & facilities managers, or positions ancillary to an athletics program.

Education and Experience: Minimum of a bachelor's degree required with experience in relevant independent instructional or educational activities; specific minimum experience is at the discretion of the Director of Athletics.

Clinical Academic Department Administrator (CADA) and Research & Academic Department Administrator (RADA):

CADA and RADA positions are intended for administrators of high-complexity, academic health centers or research-focused academic departments and centers within the University system that are engaged in a substantial amount of externally funded research and feature complex, cross-disciplinary research collaborations and partnerships. Departments supervised by CADA/RADA positions would include Human Resources management; Finance and budget; and Sponsored research administration and compliance. Notes: Positions require individual HRAB review and approval regardless of campus delegated authority for EPA classifications.

Education and Experience: Minimum qualifications of an advanced degree (masters or higher) and no less than 5 to 7 years of management-level experience in the full range of administrative and financial functions of an academic department or research center in a higher education, research, or health care setting. Candidates with 7 to 10 years of directly comparable experience may substitute for the required advanced.

Continuing Education:

Positions whose primary purpose is to design and deliver courses, seminars, etc., that extend the institution's regular academic and research activities to non-degree-seeking participants through targeted programs and short courses. This classification is used for instructors of non-credit courses only.

Cooperative Education:

Positions whose primary purpose is to develop cooperative or internship education experiences for students with employers, monitoring student progress and learning, and evaluating student performance. Such positions either have direct impact on grade assignment or are featured as an integral component of institution's student career services activities.

Counselors:

Positions requiring credentialed professionals whose primary purpose is to provide clinical and developmental counseling or psychological services to students to enhance their psychological growth, emotional well-being, and learning potential.

Education and Experience: Relevant professional degree and licensure in the appropriate clinical field of psychology, social work, or mental health.

Institutional Research & Assessment Management:

Positions whose primary purpose is to direct and manage institution-wide data, metrics and management information about the institution's students, faculty and staff, enrollment and academic programs, facilities, and related items as required for federal, state, and UNC system reporting. Directly supports the institution's planning and assessment processes. This category may be used for Campus-wide roles or those who direct institutional research and assessment within a large School or College. Note: This is not intended for analysts or other institutional research roles that do not have Director-level responsibility.

Instruction:

Positions whose primary purpose is to determine course content, teach and evaluate enrolled students in courses for academic credit.

Instructional Consulting and Technology:

Positions whose primary purpose is to assist, advise, and critique faculty and other instructional staff on instructional matters such as course content, curriculum structure, and instructional technique, or whose primary purpose is to plan, design, or implement information technology and/or multimedia approaches that directly support instructional delivery. This includes positions involved in transitioning coursework from traditional "face-to-face" delivery to on-line "distance learning" formats. This category is not to be used for individuals who provide routine information technology support within the instructional enterprise.

Laboratory Management:

Positions whose primary purpose is to manage research and experiential laboratories and participate in design and selection of experiments, protocols, and procedures that best support the instructional or research goals and in evaluating progress towards goals.

Professional Librarians:

Positions whose primary purpose is to support the institution's instructional and research activities by advising students and faculty on the selection and effective use of library resource materials and by working with faculty on instructional and research matters such as collection development. Used for professional librarians without faculty rank.

Education and Experience: Requires the Masters in Library Science (MLS) degree. In specialized libraries, may substitute an advanced degree in the field of specialization (e.g., legal degree

for a law library, or a history degree for a special historical collection within the library setting).

Public Service & Extension:

Positions whose primary purpose is to provide the direct delivery of scholarship and research to public audiences and clients and/or to direct staff or programs in the development and administration of such programs, which focus or extend the academic resources and/or research products of the institution on addressing community and regional issues and incorporate community needs in the institution's academic and research programs, including agricultural extension and industrial extension.

Research Administration & Compliance:

Positions whose primary purpose is to direct and administer the programs and staff of major externally-funded research projects; serve as the chief administrative manager and compliance officer for a large academic department or research center with substantial administrative and financial complexity and which derives a significant portion of its operating budget from sponsored research funding sources; or positions that provide executive leadership of sponsored research activities either campus-wide or within a School/College dean's office. The latter includes individuals who manage project proposals in compliance with the institution's academic and research policy, provide substantive professional advice on the development of project proposals, and negotiate with sponsoring agencies with regard to the terms and conditions that govern the conduct of sponsor research. Notes: These positions do not include first-level contract and grants developers, grant writers, or administrative support.

Research and Clinical Professionals:

Positions whose primary purpose is to serve as non-faculty principal investigators, research project managers, research scholars, research scientists, or research assistants/associates for primary or secondary research projects that may advance or enhance a field of academic learning; as well as licensed clinicians who deliver research demonstration outcomes or who provide direct clinical services to clients in an academic healthcare environment.

These positions function with substantial independence and expertise in original scholarship, research design, research engineering, implementation of research procedures, data analysis and interpretation of results. Research computing professionals whose principal duties involve the exercise of substantial research independence and creativity in discovering new or emerging technologies may also be considered for this category as distinguished from individuals who are operating or

supporting existing, well established information technologies. Note: These positions do not include operational or support related positions.

Education and Experience: Relevant post-Baccalaureate degree required; for candidates demonstrating comparable independent research productivity, will accept a relevant undergraduate degree and 3 or more years of relevant experience in substitution. May require terminal degree and licensure.

Student Support Services:

Positions whose primary purpose is to develop, direct and administer services for students and/or faculty that have a direct impact on the students' educational experiences and/or campus life (e.g., student career services; student life / student housing; student honors programs; student diversity support programs; student conduct; student registration and records). This category also includes student admissions and financial aid positions that exercise decision making authority on behalf of the institution (e.g., admissions officers, financial aid officers) and professional staff who design and deliver programs and instruction that involve direct interaction with students and enhance their academic and learning experiences outside the classroom setting. Note: These positions do not include operational or facility maintenance functions.

Technology Transfer:

Positions whose primary purpose is to manage the flow of research and technology innovation, disclosures, patents, trademarks, copyrights and other aspects of technology transfer. These positions include professional staff members who assess disclosures for technical and commercialization merits; develop relationships with industry or government clients; negotiate business transactions for the exchange of intellectual property rights; collaborate with regional and state economic development agencies; and/or engage in other aspects of technology transfer such as negotiating licensing or equity agreements. These positions also provide outreach services such as training and education to university faculty and students in related activities.

Physicians and Dentists:

While defined separately under NC General Statute 126-5(cl)(8), positions whose required qualifications meeting the licensing standards for Physicians and Dentists in the State of North Carolina will be classified as IRPS.

[This is a rewrite of Administrative Memorandum #364³]

³The section of Administrative Memorandum #364 related to the application of guidelines on interpreting North Carolina General Statute § 126-5(c1)(8): Instructional and Research Staff Exempt from the State Personnel Act has been rewritten as Regulation #300.2.5.1[R].