

Minutes of the Faculty Assembly Meeting October 22, 2003

Faculty members present: Bruce Bomar, Gary Coleman, Horace Crater, Lloyd Davis, Dennis Keefer, Kenneth Kimble, Trevor Moulden, Chris Parigger, Rich Ranaudo, K. C. Reddy, Atul Sheth, Monty Smith, Peter Solies, Bruce Whitehead, Joe Majdalani

Faculty not present: Basil Antar, John Caruthers, Y. L. Chen, Frank Collins, Narendra Dahotre, Gary Flandro, George Garrison, Max Hailey, Ralph Kimberlin, Boris Kupersmidt, J. W. L. Lewis, Joel Muehlhauser, Al Pujol, Roy Schulz, John Steinhoff, Ahmad Vakili

Meeting began at 10:10 a.m. A quorum was not present.

1. Dr. Lloyd Davis opened the meeting by saying the Minutes need to be edited for approval and will be brought up at next meeting. Dr. Davis asked that the Minutes not be put on the website until they had been approved. Dr. Crater said he would e-mail the Minutes to each faculty member in the future for comments.

2. By-Laws Committee:

Dr. Whitehead passed out the "Statement from Bylaws Committee Concerning Faculty Assembly Membership and Definition of Quorum" including a listing of the voting members of Faculty assembly and the number needed for a quorum. At the present time, the quorum stands at 14. In interpreting the UTSI Faculty Assembly Bylaws, the main problem we have encountered is that the Bylaws do not specify precisely what to do in every possible case that might arise. The approach taken in such cases was to identify surrounding principles -- applicable principles expressed in surrounding, related sections of the Bylaws. Dr. Sheth commented that Dr. Pujol was not on the list and Dr. Whitehead stated that Dr. Pujol was not a member in accordance with item 3 in the Statement from the Bylaws Committee.

The first question concerned the definition of quorum. Since the purpose of the quorum is to determine whether or not things can be voted on, the way to count Assembly membership consistently with this purpose is to count the voting membership of the Assembly, the quorum is then half of that number.

The second and third questions concerned the definition of Assembly membership in paragraph 2 of the initial section of the Bylaws. To summarize this discussion, as the Bylaws currently stand, in order to be a voting member you have to be a full-time faculty member, Dean, or Vice President, physically located here.

Dr. Sheth asked about semester banking and Dr. Whitehead explained that, if a faculty member is full time, semester banking does not change that full-time status.

Dr. Parigger said that point No. 2 defines a faculty assembly, and wanted to know if John Caruthers and Joel Muehlhauser were members.

Dr. Whitehead explained that, as stated in the definition of Assembly membership in paragraph 2 of the initial section of the Bylaws, Dr. Muehlhauser and Dr. Caruthers have the right to vote.

Dr. Kimble explained according to Roberts Rules of Order what ex-officio means and ex-officio includes right to vote.

Dr. Parigger wants to amend bylaws. He mentioned that since Drs. Muehlhauser and Caruthers were both absent if they were not voting members we would have a quorum at this meeting.

Dr. Davis said if a change was made you have to make a motion and it has to come before the Bylaws Committee, but since we don't have a quorum we can't make a motion.

Dr. Sheth stated that there are faculty members that never attend a meeting and wants to know for what reasons they are missing since this also affects the quorum.

Dr. Davis said we might need to review those that have not attended meetings. Dr. Whitehead suggested if a faculty member has not attended the last four meetings you are not counted in quorum. Dr. Parigger asked what is the status of Ying Ling Chin and Dr. Whitehead said Ying Ling is a faculty member.

Dr. Davis asked Dr. Whitehead that the Bylaws Committee report back to the Faculty Assembly with suggestions for changes to the bylaws that would change the criterion for voting membership and numbers that constitute a quorum.

3. Research Committee Report:

The Research Committee plans to meet on Monday, October 27th. Dr. Sheth stated they had met twice. Dr. Keefer was elected as Chairman and since he plans to retire in December, Dr. Majdalani will take over after he has retired. In the second meeting, Drs. Caruthers and Muehlhauser met with the Research Committee and had given information on what earmark money we have. Dr. Joe Johnson has requested a two-page write-up from each faculty that is interested to submit the paper to Dr. Muehlhauser for what the faculty member wants in the way of political help. On Monday, October 27th the Research Committee will meet and select what will be given to Dr. Johnson before the end of the month.

Dr. Reddy said that last year the Federal Relations Council, which is made up of research officers for each campus, got together to pick what projects they wanted to pursue. We were able to get two out of ten on that list last year. One (HVEPS) was funded. They are trying to do the same thing again. They want the faculty input to see what other major or large scale projects they want to pursue, and to submit to Drs. Caruthers and Muehlhauser and the Federal Relations Committee will pick from the group.

Dr. Keefer came in late and Dr. Davis told him this was an informational meeting only since we did not have a quorum. [With Dr. Keefer's arrival, we would have had a quorum, except that Dr. Parigger had left because we had not had a quorum.] Dr. Crater asked if there was anything he wanted to add pertaining to the Research Committee. Dr. Keefer stated he had asked Dr. Caruthers and Dr. Muehlhauser to talk to the research committee and the purpose of this was to find out what initiatives were on the plate for UTSI and also to get an assessment of what the funding environment is and what opportunities we had through Congressional representatives. They pointed out that the HVEPS program got moved up. The Project Manager at Wright Field had sent Dr. Keefer an e-mail stating that funding was available and how it would be divided up. He said he thought it might be in place by the first quarter of next calendar year .

Dr. Keefer said the Prometheus project was put into the Omnibus Spending Bill. They abandoned the usual process of resolving House and Senate differences by throwing the whole thing into the Omnibus Bill. We still have a chance of getting funding on Prometheus. That's being pushed by Lincoln Davis, freshman Congressman, who has been given the privilege of speaking through the Leadership of the Minority party. Even though he is a freshman Congressman, it will be pushed at a higher priority level than his freshman status would normally be; therefore there's a possibility of getting that funded.

Dr. Keefer said Ahmad Vakili is negotiating with Conocco Phillips to get the carbon fiber manufacturing system working and that looks like it's going to go and should afford us some opportunities there for research and some interaction with Oak Ridge. Janice Bowling is going to approach Frist and Alexander to see if we can get better relations on the Senate side. The reason we only received funding on half of the HVEPS project was that the Senate people didn't back it. The House put in for \$4.5 million and the Senate only approved \$2.2 million. If we had gotten some support out of the Senate, there's a possibility we would have gotten twice the amount of funding.

Dr. Keefer stated that Alexander is the Chairman of Energy Subcommittee for Coal Gasification. There's a new alliance being put together that basically is a vehicle that allows Zack Wamp to extract money from the budget and put it in the area around Chattanooga and Oak Ridge and his Congressional district and we're going to try to become part of that. That happened through Alex Money and Darryl Aiken, and Dr. Caruthers said that was at a cost of \$2500/month to secure the services of those consultants. That contract is now over and whether we'll be able to get that kind of help again is problematic at this time. Any contracts would have to be bid instead of sole-source at this point.

He said that John has been talking about trying to develop a joint institute here with Battelle on fuel cells, computational mechanics and nanotechnology. Alex Money was working on that and had to drop it when his contract was dropped. The next step for the committee is meeting October 27th, and the order of business there is to decide on the

white papers we will submit for possible inclusion in our Congressional activities for the coming year. These are projects that should be multi-million dollar projects. The Congressional people are basically not going to waste their time on anything less than \$1 million contracts and we need to find the right sorts of projects that have a chance of funding. These will be sent to Kurt Schlieter who is our Congressional representative in Washington. They will take the white paper proposals, do a first sort and determine what will be considered for funding. If you can find a new program that is going to be funded by Congress and write a paper on that you will have a better chance of getting funded. In the case of Prometheus – it was a new \$4 billion program for nuclear electric propulsion, and so coming in for a set aside or markup into that program, and it was already agreed that a lot of money was going to be spent in this area, so to propose in an area like that assures that you have a better chance than to propose in a mature technical area where there is no big Congressional program that can be an umbrella for us. If you propose in an area where there is no program umbrella then it becomes difficult to get money for a specific project and it becomes more obviously "pork" and therefore becomes just a project for your district that has no relationship to any overall government programs.

Dr. Solies wanted to know if there is a site on what programs are likely to be funded.

Dr. Keefer said he didn't have a specific site, and this is where we need to have good relations with consultants in Washington. The consultant we had, Van Higgs was well connected and was doing a good job, and it is likely if he had not been fired in the middle of this we might not have lost half of the HVEPS money. He had been going to the Senate conferees and had an agreement that they would accept the House figure instead of reducing it, but before that committee met he was terminated, so he had no voice on the Senate side. It is critically important we keep good relations with our consultant representatives in Washington. If it all gets thrown into the "big UT", then we've got competition from UTK, Memphis and Chattanooga. There was an agreement made before Dr. Schumaker and Steve Leonard left UT that UTSI would have priority in those efforts but since they are no longer with UT it is essentially gone, and whether we can re-establish that priority through Dr. Johnson and Eli Fly is pure speculation. In the past we have hired in the past consultants directly. M. H. McCay spent \$50,000 on a consultant from the same firm Van Higgs was associated with that helped secure the LISI contract. That came directly from UTSI – it did not go through the Knoxville legislative relations at all. We hired that consultant. The money came from the system (Dwayne McCay). They gave us \$100,000 to help develop a proposal for one of the internal centers that was not funded, but we put in a lot of proposals for centers several years ago and they chose

three or four, including the one Pamela Reed was running, but there was a group that was not funded and they gave those groups \$100,000 each to help pursue activities to get external funding for center activities. We took half of that to use for Congressional markup for LISI and the other \$50,000 went to Jim Lewis to develop the programs he has in Memphis on telemedicine. He did not go through an external consultant.

Dr. Keefer also said there will be a series of seminars being put on involving people at UTSI doing research and John Steinhoff will organize those. A requirement that Dr.

Keefe attached to presenting a seminar is to explain how you found the funding for the project. Tell us what happened – a meeting or an individual, etc.

Dr. Crater asked about the two-part faculty assembly motion and Dr. Davis said we can't have any motion because we don't have a quorum and we cannot conduct business in the meeting today. On Agenda Item 8, which was to be a motion for this two-part special faculty meeting, the second part to be research and funding, so if the Research Committee will go ahead and organize that, (that was to be the first part of that two-part faculty meeting), so that will continue with the research committee going ahead and taking the lead in organizing that. Dr. Davis asked if a date has been set, but possibly some Wednesday.

Dr. Keefe said they have not discussed that at all, but the next meeting will be to try to determine the topics of the white papers. He said if you have ideas you want considered to turn them in before the October 27th meeting date of the Research Committee.

Dr. Davis said the thing Peter was eluding to is to have your white paper link up with some funding opportunity.

Dr. Keefe said he didn't know subject matter that would link up with a funding opportunity. He gave an example of the Prometheus. He said he just happened to be at NASA digging around, and found out that there was a lot of money in the NEP program. At the time it wasn't called Prometheus, but he found out there was sizable funding associated with it and came back and started promoting it with AEDC, Oak Ridge and Tri-lateral alliance and they put together a team and when the time came to write white papers they had something to write about. Dr. Crater asked for an explanation on the HVEPS program and Dr. Keefe explained the history of the HVEPS contract and said we suffered a year's funding because we didn't have our political house in order. He said we can count the HVEPS contract, even though the money hasn't been received.

Dr. Davis said it would be a good idea to go ahead with the meeting discussing research with different individuals giving presentations and be looking at when to schedule.

Dr. Keefe said he would get with John (Steinhoff) and try to get this started. He said someone had already volunteered to do one and he would do one. Dr. Davis said Dr. Garrison could talk about the EPSCOR opportunity and Dr. Keefe agreed it would be useful. Dr. Davis said he had spoken with Dr. Garrison just before the faculty meeting and he said he would be willing to do that.

Dr. Keefe agreed it would be good for the research assembly, but for the Monday meeting he wanted to stick to the white paper issue because of the time constraints, especially since they will need to decide in that meeting where to put their eggs. He is soliciting ideas from people who have done their homework and one of them is Aviation Systems and helicopters. Prometheus is another one. If it's not funded this

year, then maybe next year because that program is not initiated yet and there's lots of money there.

Dr. Keefer stated that it helps if you have a company to work with you. When you work with companies they have money at their disposal to influence congress that we do not have. In the case of General Atomics, there is Political Action Committee (PAC). There's a limit to how much corporate money can go into this but individuals can make contributions to a limited amount. General Atomics policy with their employees is if you make a contribution to their PAC they will make a contribution of double those dollars to your favorite charity. They have a well-oiled PAC to go talk to their congressional representatives. So it's useful to couple with a company because they have ways of operating that universities are not privileged to have.

Dr. Whitehead said he wanted to finish up with what he had to say. The last thing he wanted to say in his presentation was on voting rights, but there was also an issue of who could participate and wanted to emphasize, especially since there was one in the room, that part-time administrators are welcomed and to participate in the meeting, even though we don't feel the bylaws give them voting rights.

Dr. Sheth questioned what Dr. Dahotre's status was as far as a voting professor. Dr. Whitehead acknowledged this was a difficult case. Our interpretation is in item 2, there is a definition of faculty and a definition of the institute and we interpret "of the institute" as someone whose name places much of his professional time here.

Dr. Davis noted that Dr. Dahotre spends 25% of his time here and Dr. Whitehead said he didn't like it but that was the interpretation of the bylaws. Dr. Davis said we need to make inference to get a quorum and since he can never attend it affects that. Dr. Sheth made mention that Dr. Dahotre is also a member of the Research Committee. The purpose of the Bylaws Committee is to explain what the bylaws state, even though he doesn't agree with it.

Dr. Keefer stated that in Naren's case, we don't have the same opportunity as Knoxville and it is his belief that a faculty's status should not be diminished one bit because they have taken a joint appointment. Dr. Keefer said Dr. Dahotre is 25% UTSI, 50% Oak Ridge and 25% UTK, so he didn't see why it should prohibit him from being a voting member of the faculty assembly.

Dr. Davis said that before Dr. Keefer arrived they had discussed not being able to conduct any business due to the fact that a quorum isn't present, and the Bylaws Committee is going to review the bylaws.

Dr. Whitehead said we need 2/3 vote to change the by-laws. Dr. Davis said the bylaws committee would look into possible changes in the bylaws that will be such that voting

members must attend or lose their voting rights after 4 missed meetings so we can reduce the number that constitute a quorum so we can conduct business.

Dr. Kimble asked if you wanted to lose voting rights or just change the way you establish a quorum. Dr. Davis said the Bylaws Committee would look into that.

Dr. Davis moved on to discuss Item 5 of the agenda items. Dr. Crater said that the new Item 5, request that Administration name a replacement for M. H. McCay for the Education Committee. Dr. Reddy stated that since we no longer offer a Material Science degree it would not be necessary to replace Dr. M. H. McCay.

Dr. Davis asked Dr. Reddy about the report of names of students requested at the meeting of September 10th. Dr. Reddy said we have 146 students – a little better than last year. He said Charlene had a hard time getting numbers of students this year from Knoxville and there is no breakdown on part-time students due to the way registration was handled this year. Dr. Davis asked about GRA's and Dr. Reddy stated that the institute is supporting 20-21 students and other GRA's are funded by grants/contracts. Dr. Davis asked if he would find out the total number funded by grants and contracts by the next faculty meeting, and Dr. Reddy said he would.

As part-time administrator, Dr. Reddy reported that Eli Fly was here on Tuesday, October 21st and wanted to know how we're doing. He wanted to know what our budget status was. He was told that we were planning on hiring five tenured track professors and Mr. Fly wanted to know if we could afford it and he was told we may not be able to hire all of

them, but we can hire some. Mr. Fly said that the governor had told all the universities to be prepared for a 5% cut next year. At this time we do not know the details. There is better tax revenue this year than in the past years but not that much. We could get back as salary increase etc. He wanted us to be prepared for that. Dr. Reddy said his personal goal is to see three professors in next few months. On another note, Eli is happy we paid off debt to UTK.

Dr. Solies said the committee met and found a candidate for the replacement of Frank Collins.

Dr. Crater asked about item 8, i.e., discussion on two-part special faculty assembly meeting(s) on (1.) faculty research and funding and (2.) faculty governance and accountability. There is interest in research funding but the research committee will authorize that. Drs. Sheth, Crater, Whitehead and Davis discussed whether to have two separate meetings and if there was interest in having the meeting on faculty governance and accountability. Dr. Davis said that at the last executive meeting he stated he would be out of town and not available to chair a special meeting and Dr. Kimble said he didn't want to chair it so that's why it never happened, and that's the reason it was decided to delay the meeting until Dr. Davis got back.

Dr. Crater asked if we need to set a date for the meeting.

Dr. Crater gave a demonstration on obtaining access to the UT Library using User ID and will send a memo to each faculty member showing how to obtain your Net ID if you don't already know your Net ID. If you still have trouble you can contact Gayle Baker at UTK for help.

Faculty meeting adjourned at 11:30.

mkg