

FLC Policy: National Advisory Council

Approved by the FLC Executive Board on April 27, 2021



1. NATIONAL ADVISORY COUNCIL

The FLC National Advisory Council (NAC) will be chartered and operate in accordance with FLC Bylaw Article V Governance, Section 4 Other Consortium Agents, a.) National Advisory Council.

2. FUNCTIONS OF THE COUNCIL

- A. The NAC is tasked to provide the Executive Board (EB) with user community views and suggestions related to the operations of the Consortium, as well as independent advice on any other topics mutually agreed to by the EB and the NAC.
- B. The FLC Chair in conjunction with the Executive Committee (EC) and the NAC Chair (described below) will develop an annual Charter for the NAC that will be approved by the EB. The Charter will detail the specific areas of interest that the EB is requesting that the NAC address in the year. Tasks may continue across successive years on approval of the EB; they need not be accomplished completely within a single year.

3. MEMBERSHIP

- A. The composition of the NAC will consist of between six and twelve representatives from a broad user community and may include representatives with experience in industry, academia, state and local governments, federal laboratories, and other entities in the technology transfer ecosystem. NAC members may also include representatives with experience in areas of special interest to the FLC such as marketing, education and training, and other targeted skills. In general, active federal employees of agencies or laboratories that are FLC members should not be NAC members.
- B. The primary emphasis will be on industry representatives that include small businesses, medium to large businesses, industry-related consortia, and the investment community (e.g., venture, angel, and other investors). As a goal, members with industry experience will comprise no less than half the NAC members.
- C. Retired members from a user community or communities will be considered as representatives from that community based on their background and expertise.
- D. The NAC Chair shall be recommended by the FLC Chair and approved by vote of the EB.
- E. Other members shall be nominated by EB and/or NAC members. All members shall be approved by vote of the EB as part of approving or amending the NAC Charter.
- F. All members of the NAC will be elected for a 3-year term. This term may be extended for additional 3-year terms without limit by vote of the EB.
- G. The NAC may determine if other officers are needed and elect such officer. Any such officers or other representatives will be elected for a term that coincides with the NAC Chair's term. At any time a new Chair is selected, the NAC will review and re-elect any other officers or representatives.
- H. Members of the NAC will serve on a volunteer basis without compensation from the FLC.
- I. Members of the NAC may resign at any time.
- J. Members of the NAC may be removed by vote of the EB at its discretion.

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4. GOVERNANCE

- A. The NAC Chair will be accountable to the FLC Chair and Executive Committee. These entities will work with the NAC Chair to develop a Charter approved by vote of the EB. The Charter will be updated at least annually, or more frequently if appropriate.
- B. The NAC Chair will hold regular calls with the FLC Chair and Executive Director, and will work with the Executive Director on a day-to-day basis to ensure the NAC is responsive to the EB and in alignment with the FLC Strategic Plan.
- C. The NAC may hold in person or virtual meetings to conduct business.
 - a. Travel support for the NAC will be provided directly by the Host Agency in accordance with Host Agency Travel Policies.
 - b. The Cooperative Partner will support the NAC by arranging for virtual sessions upon request and other administrative support as appropriate. The Cooperative Partner and Host Agency will work collaboratively on in-person meeting support.
 - c. The NAC and EB will make best efforts to have a joint meeting at least annually. This meeting may be held in conjunction with an EB meeting or may be held independently at the discretion of the FLC Chair in consultation with the NAC Chair. When possible, a joint meeting between the EB and NAC will be held in conjunction with in-person National Meetings.
- D. Members of the NAC are “Other FLC Agents” and may not bind the FLC to any action or expend FLC funds without approval as described in the Finance Policy.
- E. Members of the NAC may not represent an official position of the FLC.
- F. Members of the NAC must reveal any lobbying interests to the EB before selection or at any time there is a change in status regarding lobbying.

5. DUTIES

- A. The NAC Charter will delineate specific tasks that the NAC will address per the desires of the EB. Such tasks will be negotiated between the FLC Chair and NAC Chair, with the NAC Chair's role being primarily to validate the NAC has the requisite talent and resources to satisfy the task. Prior to the NAC's planning and execution cycle for a given task, the FLC Chair (in coordination with other appropriate FLC principals) will provide a short Terms of Reference regarding the nature of the advice requested, the approximate end date the advice is desired, and a description of reporting or any products.
- B. The NAC will provide informal advice in response to short-notice requests by the FLC Chair for topics that could not be anticipated for inclusion in the Charter. Such advice will typically be via phone calls or virtual meetings and shall be summarized in an e-mail report.
- C. Individual NAC members may serve on standing or ad-hoc committees, task forces, etc. if invited to do so the FLC chairs/leaders of these entities, and to the extent that individual NAC members wish to participate.
- D. The NAC will continue to sponsor the FLC Lab Director of the Year Award in conjunction with the Awards Subcommittee, Promote Committee, and to facilitate the Lab Directors Forum at the National Meeting in conjunction with the Program Subcommittee, Education Committee.

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6. CONFLICT OF INTEREST

- A. Individuals serving on the NAC must act at all times in the best interests of the FLC and not for personal or third-party gain or financial enrichment. Prior to participating in a specific study or committee deliberation, NAC members are expected to disclose actual or potential conflicts of interest to the NAC Chair. Should it be determined that an actual conflict, or appearance thereof, exists, the NAC member will remove him or herself from that specific activity. If the NAC Chair is uncertain about whether a conflict exists, he/she will consult with the FLC Chair for a final determination.
- B. A conflict of interest arises when a NAC member may benefit financially from a decision he or she could influence in that capacity, including indirect benefits such as to family members or third parties or businesses with which the person is closely associated. This policy is focused upon material financial interest of, or benefit to, such persons.



Federal Laboratory Consortium
for Technology Transfer

National Advisory Committee Charter 2021