



# **Certified Open™ – Operating Principles**

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## 1. Program Structure

It is a widely accepted principle that open, fair and free competition is desirable in most markets.

Certified Open™ is designed to help measure and encourage competition through the provision of a framework for evaluating technical and commercial lock-in where that may reduce the ability of suppliers to compete in the provision of software, hardware and services.

What is not frequently understood is that lock-in can come both from the purchase and adoption of proprietary solutions, but also from the restricted skills capability, either in-house or in local partners, that this can cause.

Lock-in to a single vendor or single architecture is a long-standing feature of the computing industry. Whether it is good or bad for the customer is for that customer to decide. Certified Open provides a means to detect and measure the lock-in that the customer may incur through the use of particular products. It is then for the customer to decide whether that is a factor to use in making deployment decisions.

Certified Open is designed to ensure the effective removal of constraints in terms of the openness of IT solutions – in short, the creation of freedom in infrastructure decisions through the removal of factors affecting supplier lock-in.

There are two key initiatives within the program:-

- The "Certified Open Products and Services Program" that verifies that both the **products or the services** created by an organisation are "certified open"; and
- The "Certified Open Community of Practice" that assesses an **individual's competence** against an industry agreed competency framework

Certified Open is targeted at all organisations (large and small) operating within ICT and represents strong value propositions for all stakeholders.

The key collaterals for each of these programs are two industry-agreed, highly granular, frameworks:-

- The **Certified Open Products & Services Framework** – that defines the characteristics products & services must achieve if they are to be seen as fully open; and
- The **Certified Open Competency Framework** – that defines the skills that IT Professionals should have in order to be proficient in the delivery of open solutions.

The core program has been designed for all user organisations and suppliers to ensure that they are following best standards in terms of product development/ procurement/ outsourcing by providing a framework in which all products, services and skills are provably open.

Certified Open was initially jointly developed by OpenForum Europe (OFE) and the Institute of IT Training (IITT) within the Open Source Academy project in the UK, and by OFE within the TOF-E project. OSA was an eInnovations project funded by the UK Government's Office of the Deputy Prime Minister, aimed at encouraging and accelerating the use of OSS within UK Local Government. TOF-E is the consortium based market validation project part funded under the EC's eTEN programme, and is testing a network of community based portals supporting OSS, particularly in the SME sector.

UK Local Government provided the pilot market for the first version of Certified Open, and both the Competency Framework ( Skills Tracker) and Product and Services Framework were first introduced in March 2006.

Since that time significant further development work has continued on Certified Open, led by OFE but with notable involvement both by individuals (inc Shane Coughlan) and associated organisations (inc FSFE, FFII, Socitm SOSS, Open Ireland, Open Advantage). The next step in early 2007 is to relaunch Certified Open as a pan European programme as part of the TOF-E announcements. This will involve a major launch event in Brussels and local announcements in each of the three initial participating countries – Denmark, Ireland and UK. Certified Open will continue to be trialled in these three countries from January to May 2007 before going General Release in June 2007.

Whilst the agreement is that all software and content within Certified Open will be made freely available under either the GPL or Creative Commons (or equivalent open licence), use of the Certified Open brand and logo has been protected by Trade Mark registration across Europe. This is held by Certified Open Ltd.

To protect the investment and commitment in Certified Open, Certified Open Ltd has been established in the UK a not-for-profit, limited by guarantee company –. and has created in such a way as to ensure that since there is no equity, no profits can be distributed. This is seen as a first step towards establishing a Foundation. The Board is represented by a representative from TOF-E, OFE and the Free Software Foundation Europe as equal partners.

Alongside the Board a Certified Open Council was established to ensure maximum input, strategic direction and input into governance and appeals processes. This would seek maximum representation from communities and interested organisations. Current members are listed on the Certified Open website.

Any financial surpluses generated by Certified Open will be retained by CO Ltd for further development and support of the community.

## **2. Overview – for Public Sector Organisations**

Analysis by OFE has indicated that due to lock-in to proprietary solutions up to 90% of public sector organisations no longer have the freedom to choose on the basis of competitiveness, functionality or price their next IT solution. This is not only limiting their strategic direction, and opportunity for technological innovation but also the effectiveness of their delivered service to users and the the public. Much of this lock-in is not visible and inadvertent and results from 'hidden' lock-in caused from application purchases.

Certified Open program enables ICT managers and procurement officers to:-

- Ensure that procurement decisions take open standards and the potential for lock-in into account when procurement decisions are made.
- Ensure that ICT managers can manage the skills of their staff and provide a lifelong learning environment as the basis for professionalism.
- Allows effective choice of partners when outsourcing support, integration or services.

- Encourages use and participation in shared development software projects, particularly those involving other national or pan European public sector partners.

### **3. Overview – for Private Sector Corporate Organisations**

There is no equivalent research to measure the degree of lock-in within private sector organisations, but anecdotal evidence suggest it may be comparable. Organisations no longer have the freedom to choose on the basis of competitiveness, functionality or price their next IT solution. Loss of ability to maximise innovation as applied to the business strategy and impact on organisational competitiveness is seen to be equally strong.

Certified Open program enables ICT managers and purchasing departments to:-

- Ensure that purchasing decisions take open standards and the potential for lock-in into account when purchasing decisions are made.
- Ensure that ICT managers can manage the skills of their staff and provide a lifelong learning environment as the basis for professionalism.
- Allows effective choice of partners when outsourcing support, integration or services.
- Maximise speed and implementation of new innovation into the business.

### **4. Overview – for SME user organisations**

SME organisations are particularly prone to lock-in from proprietary solutions, frequently without internal ICT skills to challenge external proposals, and being heavily dependent on the skills and competencies of their external solution and support partners. Ec research indicates SMEs have the greatest to benefit from such open solutions (including those built on open source).

Certified Open program enables SMEs to:-

- Ensure that purchasing decisions take open standards and the potential for lock-in into account when purchasing decisions are made.
- Ensure that managers can manage the skills of their staff and provide a lifelong learning environment as the basis for professionalism.
- Allows effective choice of partners when outsourcing support, integration or services.
- Maximise speed and implementation of new innovation into the business.
- Benefit from lower cost alternatives.

### **5. Overview – for Solution Providers**

The Certified Open program will appeal to all ICT suppliers to the public sector and to SME and corporate users in the private sector. For the large suppliers it again provides evidence of the independence of their solution and support for the larger community. For the SME ICT supplier it provides a level playing field from which to operate, benefiting from greater visibility and recognition of unique strengths and differentiators. In all cases it enables the company – and its channel – to position itself effectively in terms of:-

- The openness of its products and services;
- The openness of services provided by channel partners;

- The professionalism of its staff;
- The basis of effective hiring decisions.
- Its strength as a potential long term partner.

## **6. Overview – for Consultancy Providers**

Consultancy service providers have a particular additional benefit from Certified Open. When delivered as part of a solution the benefits above will apply also but as a discrete consultancy Certified Open provides an independent base for audit and strategic ICT advice to user organisations. For the large suppliers it again provides evidence of the independence of their consultancy and support for the larger community. For the SME ICT supplier it provides a level playing field from which to operate, benefiting from greater visibility and recognition of unique strengths, skills and differentiators. In all cases it enables the company to position itself effectively in terms of:-

- The openness of its services (and potentially its own products and those of selected partners).
- The independence of its advice.
- The professionalism of its staff.
- The basis of effective hiring decisions.
- Its strength as a potential long term partner.

## **7. Overview – for Free Software/Open Source Product Providers**

Certified Open allows the community to emphasise both the professionalism and openness of both the product and the community approach within which it has been developed. This is likely to be particularly important when the product is being considered for use and integration within a business environment when it may be directly compared with a proprietary solution. Certified Open will provide independent endorsement allowing a 'levelling of the playing field', and give added security to purchasers in both the private and public sector who may not have detailed understanding of community processes.

## **8. Products & Services**

Certified Open™ provides a self-certified framework within which products can be evaluated in terms of the amount of lock-in that they incur when deployed by users. The framework is intended to be consistent across a range of products and is designed from the users' not the suppliers' point of view. Within the context of Certified Open, the term 'open' can be taken to mean

- Freedom from vendor lock-in
- Openness to substitution by competing products

The questions below are necessarily broad in scope. Whilst it would be possible to certify a product by adhering 'to the letter' of the questions, the intent of this framework is to provide a broad guide to the practical degree of lock-in that is likely to occur when a product is used in the ways envisaged by its designers and suppliers. It is therefore important to understand the spirit as well as the letter of

the framework when responding.

Lock-in to a product can occur in many ways. This framework sets out to clarify the obvious forms of lock-in that occur via technical issues such as for example:

- Dependence on undocumented or proprietary protocols
- Dependence on undocumented or proprietary data formats
- Licensing terms that preclude the use of alternative products
- Reliance on extensions to standards whereby users are obliged to use those extensions to obtain good performance
- The use of 'standards' that are based on patents or other forms of restrictions that constrain others from providing compatible competing implementations

Not all forms of lock-in are necessarily bad; the framework should be used to ascertain the degree of lock-in implied by the use of a product and then users may make their own decisions based on their requirements.

The framework takes into account commercial practices such as licensing or marketing agreements to the extent where they may result in reduced substitutability as far as the user is concerned. It does not address customer retention through such practices as the provision of better support or lower prices than competitors unless those are on discriminatory grounds.

This framework attempts to provide consistent way to evaluate the cost and difficulty of substituting one product with another that performs equivalent functionality as far as its user is concerned. Most industries have the concept of plug-compatible parts where a component supplied by one vendor can be substituted by components supplied by others. The IT industry can demonstrate partial success in these areas. Examples of generally low lock-in include:

- PCI cards for purposes such as network connectivity, graphics displays and similar tasks
- SMTP mail exchangers such as Postfix, Sendmail, Exim providing broadly compatible services
- The IP networking stack (TCP, UDP, ICMP etc.) which has been reimplemented many times
- MIME email clients using SMPT, POP and IMAP
- Video and sound editing software using recognised standard formats for data interchange
- Database technology based on standards, capable of use in a range of environments (those environments sometimes known as 'platforms')

For the user, lock-in to a single product may well be acceptable if that product does not also involve consequential lock-in. Examples of consequential lock-in are where for instance: a product implies the use of another such as the operating environment e.g. software that only runs on one vendor's operating system; a product is dependent on services from a proprietary server architecture that is not itself substitutable; a product depends on data formats that can only be accessed via a proprietary tool set; and of course many others.

The assessment framework requires evaluation of the product across the following domains:-

- Client View - Describes the way in which the end-user interacts with the product.
- Software View - Broad, covering both software as an entity and as a component.
- Hardware View - describes the physical devices associated with the product.
- Data View - The data created, used or stored by the product.
- Business View - Recognises that lock-in is not only a technical matter.

Each product or service is evaluated and given an appropriate (gold/ silver/ bronze) certificate. The level of certification works like this; in terms of the overall scores:-

- Gold – 90%+ score
- Silver – 60 – 89% score
- Bronze – 40 – 59% score

The full certificate will provide a breakdown for each of the 5 categories (Client View etc.) as to whether, within the categories, the product or service is at Gold/ Silver or Bronze level. A copy of the Certified Open certificate is attached as Appendix 1

The Certified Open program in general, and the Certification Framework in particular, represent strong value propositions for each of the key stakeholders:-

- **Public Authorities** – readily available accepted criteria against which to assess the openness of products and services.
- **Procurement** – the ability to specify and objectively assess the openness of products and services.
- **Hiring Managers** – the ability to assess products and services developed by would be job applicants.
- **External Service Providers** – differentiation based on the degree of openness achieved by the product or service; in addition, a tool to guide developments by accredited partners.
- **Free Software/Open Source Product Providers** – greater visibility for the standards required to be achieved to ensure openness.
- **Enterprise Computing** – the greatest possible level of granularity for ensuring openness of products and services in order to avoid supplier lock-in.

The form to fill in is attached; one form for each product, service or solution should be submitted to the address shown on the completed form and website.

## 9. Skills

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Skills management is managed by the Certified Open SkillsTracker – a web-based skills assessment tool. This is a self-assessment process with rigour provided by the process of:-

- Mapping certifications and qualifications to the framework;
- Mapping courses to the framework; and
- Providing a methodology for manager sign-off for work-place developed skills.

Access to the Certified Open SkillsTracker is secure and is made via the log-on screen – it is accessed directly from the Open Source Academy site. There is a new user log-in facility for people to set up their record.

The core functionality of the Certified Open SkillsTracker can be seen from the log-in screen referenced above; it covers:-

- **"Your Details"** – this covers personal details and password, certificates/ qualifications achieved, and courses attended.
- **"Assess Skills"** – this follows the self-assessment methodology outlined above, and provides a very low level of granularity; each of the specialisations (see 4.4 below) can be selected as objects in their own right and represent a distinct knowledge/ skills domain. It is this section that performs the critical function of making visible to people the skills to which they should aspire.
- "Skills Profile" – this is the hard copy version of the skills profile showing the extent to which skills have been validated by certificates gained and courses attended.
- "Development Report" – the report provides guidance in terms of certificates and courses that should be considered as part of the individual's on-going career development.
- "Guest Tickets" – in order to provide visibility to the individual's e-skills portfolio of their open skills under controlled conditions.

The functionality that is in bold above can be accessed by any registered user at no charge.

The following Specialisations are included within the SkillsTracker program:-

- Operating Environment
- Interoperability
- Networking
- Hardware
- Utilities
- Applications
- Business management
- Database management
- Development
- Security
- Community Issues
- Migration

The Certified Open Program in general , and the SkillsTracker in particular, represent strong value propositions for each of the key stakeholders:-

- **Public Authorities** – readily available poll of validated skills and resources – both internal and external; basis for establishing IT Professionalism within the Open Source environment.
- **Procurement** – sound basis for evaluation tenders that require open source skills.
- **Hiring Managers** – assurance that claimed skill sets are

- realistic.
- **External Service Providers** – differentiation based on quality of staff and demonstrable support for the community; in addition, clear channel management benefits in terms of skills management.
- **Free Software/Open Source Product Providers** – minimisation of the impact of lack of skills on market growth.
- **Training/Certification Providers** – a driver for training and certification – it overcomes the key objection that IT Professionals don't know what they don't know!
- **IT Professionals** – demonstrate their ability within an industry recognised competency framework, providing clear career development goals, and providing an "outputs-based" CPD record of value to the community.
- **Enterprise Computing** – full realisation of the benefits of open source.

## 10. Pricing

Participation in the program will be open to all.

**During the Market Trial Period from January to May 2007 all registration fees detailed below will be waived, and will remain valid until end 2007. This excludes sponsorship where sponsors can expect to gain increased exposure during the trial period.**

Participation in the program involves:-

- **Products & Services:-**

- Program Sponsorship for 1 Year €4000 (£2750)
- Unlimited Certificates for 1 Year €4000 (£2750)
- Joint Sponsorship/Unlimited Certs €6000 (£4135)
- Individual Certificates\* €400 (£275)

- **Skills:-**

- Program Sponsorship for 1 Year €4000 (£2750)
- Unlimited Registrations for 1 Year €4000 (£2750)
- Joint Sponsorship/Unlimited Certs €6000 (£4135)
- Individual Registrations €75 (£50)

- **Both Programs at the same time:-**

- Any organisation fully committing to both programs in a single transaction will pay €10,000 (£6900) instead of €12,000 (£8270).

These are annual amounts except \* which is annual unless there is a major new release in that time, at which point 50% fee is repayable. Minor releases may be notified for free if they do not impact any answer.

Non – commercial projects developed by an OSS community and released freely under a recognised Free Software license will have registration fees waived. However, products resulting from such a development and distributed as part of a commercial solution ( eg via a dual licence) or a commercial solution developed as Free Software of from OSS components will not benefit from this waiver.

## 11. Sponsorship Benefits

The Certified Open Programme will substantially increase the visibility of openness as a whole and is specifically related to quality and differentiation within the provision of products, services or solutions in which openness is a factor.

The Certified Open sponsorship programme enables leading edge organisations to become programme sponsors and have their logo associated with the Certified Open launch, promotions and programmes.

The package provides:

- Your company's name/logo on the all Certified Open publicity, brochures, records and certificates, accreditation programme documentation and certificates, and web site.
- Your company's name/logo on all Certified Open reports.
- Promotion as a sponsor in the extensive publicity programme for the programme launches in 2007, which will include regular press coverage through a series of Press Releases.
- Promotion as a sponsor in the full colour brochure, distributed widely.
- Invitation to attend the launch event and preferential offer on exhibition space at the launch event.
- Copy of the delegate list attending the launch event.
- Promotional insert on the delegate package for the launch event.

The sponsorship programme is annually renewable. NB Only a limited number of sponsorship packages will be available.

## 12. Terms & Conditions

A Certified Open Order form – sample attached – will be all that is required to sign up for the program. The key terms and conditions are:-

**1. Formation of Contract** "OFE" (OFE Ltd) is acting as the agent for Certified Open Ltd. "Client" is the party named on this Application Form. A contract is made upon acceptance of signed Application Form by OFE.

### 2. Definition

The Certified Open programme is the process defined in the Certified Open literature involving the certification of products & services together with the maintenance of an individual's e-portfolio of skills and also Certified Open Ltd's ongoing support in each year of currency of the client's subscription to the program.

### 3. Term/Renewals

This agreement shall continue until terminated by either party. Client may terminate this agreement on the annual anniversary, provided one (1) month's written notice has been submitted.

### 4. Payment of Fees & Charges

By signing this Application Form, Client agrees to pay fee as stated overleaf. Payment is due on order, or, in the case of an approved credit account transaction supported by Client's Purchase Order, payment is due within 30 days of invoice.

### **5. Payment Method**

Payment may be made by cheque, BACS, accepted credit card or SWITCH.

### **6. Interest**

OFE reserves the right to charge interest on overdue monies at a compounded rate of 2% per calendar month on overdue invoices.

**7. Contract Variations** Any variations to these terms and conditions must be in writing and signed by both parties. This agreement is non-cancellable.

### **8. Client Responsibilities**

Client agrees to adhere to the Certified Open Code of Practice as published on the web site.

### **9. Copyright and License**

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OFE and COL make no warranty of any kind with regard to the material developed under this program, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. OFE and COL shall not be liable for errors contained herein or for incidental or consequential damages in connection with the furnishing. Performance or use of such material.

### **10. Law**

The contract shall be subject to English Law and the contracting parties submit to the exclusive jurisdiction of the courts of England.

## **13. Self-Assessment Sanctions**

The Certified Open program relies heavily on a process of self assessment; the fact that the self assessment criteria are all measurable and assessable (and are not open to subjective judgement) is a "governor" on the otherwise unreliable nature of self-assessment.

In the Certified Open program there are severe sanctions imposed if an assessor – within either the products and services or the certification programs – is found to have been inaccurate in the statements they have made.

These sanctions involve:-

- With immediate effect, all certifications of products, services and skills produced by the offending company will be withdrawn;
- The company will be required to re-certify products and services through witnessed certification processes only for a period of one year;
- Witnessed certifications may only be performed by accredited third parties.

## **14. Appeals Process**

The appeals process applies to both the skills and the product service programs – but more especially to the latter.

10.1 In the first instance, any individual or organisation will be able to appeal to the

program administrators (OFE) for a review of any claim that either a product or service fails to achieve the certified open status it claims or that an individual does not possess the skills they claim.

- 10.2 In the first instance, the Review Panel will determine if the basis of the complaint has merit; if it does it will be initially investigated at no cost to either party.
- 10.3 If the conclusion is that there is little merit in the complaint the complainant will be advised and may, at their option, request that the complaint is fully investigated. The complainant will pay a deposit of €750 (£500) to cover the costs of the investigation.
- 10.4 Where a complaint is taken forward – whether or not on the basis of a deposit – the review panel will:-
  - Make the details of the complaint visible to the individual or organisation about which the complaint is lodged;
  - Require a comprehensive response from the organisation/ individual within 10 working days – subject to an extension if it would not be unreasonable;
  - Make a decision based on the merits of the two arguments and make both parties aware of that decision.
- 10.5 In the event that either party wishes to appeal against the decision of the Review Panel, a further deposit of €3000 (£2,000) will be required to be made by the party appealing the decision.
- 10.6 The appeal will be heard by the appeals sub-committee of the Certified Open Council and their decision will be final. The sub-committee may require attendance at the review and may call for additional evidence from both sides in order to reach its conclusion.
- 10.7 Any monies paid on deposit will be dealt with as follows:-
  - 50% to the body to whom the decision was awarded;
  - 50% retained by OFE to cover administrative costs.

The damages outlined in this clause will be the only payments made to either party, by either party, unless otherwise agreed

- 10.8 The web site will maintain an alert system so that any individual within one of the relevant Certified Open Communities of Practice may indicate a cause for concern and the basis of that concern; this will enable all organisations participating in the program to have an “early warning system” of any potential infringements or upcoming issues.

## 15. Code of Conduct

All participants within the Certified Open Program agree to abide by the Code of Conduct that defines the way in which member companies and individuals will relate to both their employers and their clients.

**11.1 With respect to clients and other organisations** – members shall, in respect of any claims they make in relation to openness:-

- Act with integrity, honesty and professionalism;
- Be proactive and supportive in relations with others;
- Demonstrate fairness, sympathy and integrity with others;
- Take all appropriate actions in relation to timeliness, correctness, and quality of service;
- Take all appropriate actions to accommodate and adhere to budgetary requirements.

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- Not make any public statements, in a professional capacity, unless appropriately qualified and suitably authorised.
- Seek to adopt the most relevant methods and provide the best advice regardless of commercial benefit to themselves or any other party/organisation which may assume a vested interest.
- At all times declare any interest in any commercial or professional situation where this interest may have a bearing on any outcome and be detrimental to the business of their employer or client.

**11.2 With respect to legal and legislative constraints** – members shall, in respect of any claims they make in relation to openness:-

- At all times act within the law and not knowingly support, encourage or collude with any other party (person, persons or organisation) which may be acting unlawfully, unprofessionally or unethically.
- Have knowledge of, and adhere to any legislation, standards or regulations which may be pertinent at any time.

**11.3 With respect to an individual's professional status** – members shall, in respect of any claims they make in relation to openness:-

- Avoid any activity or conduct which may jeopardise the good reputation of their profession.
- Demonstrate honesty, diligence and appropriate behaviours in the context of their professional situation.
- Seek continual improvements in their professional performance through the updating and refreshing of skills and knowledge to reflect changes in the technology and the services they offer.
- Not provide false or exaggerated representation of their abilities, status, qualification or any other attribute which could have relevance in a professional context.

**11.4 With respect to co-operation with Certified Open Ltd** – members shall agree to abide by the Appeals process, to co-operate with it in any investigation, and to abide by its decisions. In addition, members will be expected to abide by the principles of operation contained within this document.

## 16. Supplier Guide

In order to commit to the program, suppliers will be asked to:-

- Sign an Order Form defining their level of participation in the program;
- Complete an Application Form for each product, service or solution they wish to certify; and
- Nominate the individuals they wish to register in the program

## 17. User Guide

In order to commit to the program, users will be asked to:-

- Sign an Order Form defining their level of participation in the program;
- Register with Certified Open to participate within the Community of Practice; and
- Nominate the individuals they wish to register in the program

