

LESI Education Committee White Paper

Task Force:

LESI Education Task Force

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Background:

Education has always been a cornerstone of LESI. Presently, LESI offers several effective Education Courses that were originated by different LES Member Societies (“Member Societies”). The issues are (A) how to enhance these offerings in content, coherency, delivery and development; and (B) what organizational structures should be put in place to institutionalize such enhancements in a sustainable manner that effectively provides access to all members of Member Societies.

Goal of the Project:

The goal of the project is to study and provide content and course delivery recommendations on the following:

- (1) the structure of a consistent and coherent curriculum for both those persons seeking an Education “Pathway” and those persons seeking “one-off” courses for LES Members to follow;
- (2) how the Education courses/programs presently provided by LESI (and it’s Member Societies) may best fit into the proposed curriculum and how new courses/programs fill “holes” that may exist in the curriculums;
- (3) how these programs and curriculums are publicized and delivered; and
- (4) how these programs and curriculums are managed and further developed, and whether an entity (the “LESI Academy”) with a separate legal existence would be an appropriate vehicle for the development, delivery, and standardization of programs and the recognition of achievement.

Executive Summary

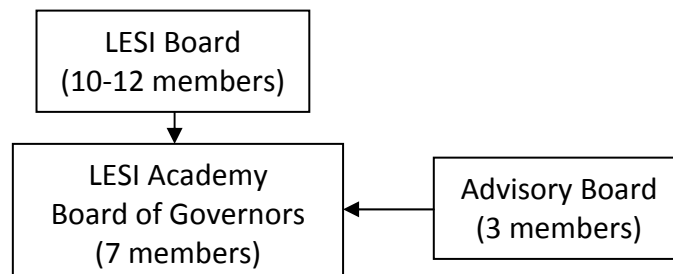
The Task Force would like to change the content of its present Educational Offerings to bring them in line with current educational “Best Practices” (as suggested by an independent third party analysis) and to provide them with a measure of coherency and consistency and yet allow local customization based on specific country laws and needs.

The Task Force would help initiate an Educational Curriculum Program whereby LESI would offer: (1) “Certificates of Completion” for each LESI Course offered; and (2) a “Certificate of Educational Merit” to Candidates who earn a specific number of “credits” by attending, in a period of three (3) consecutive years, the following: (a) LESI IAM100; (b) LESI IAM200; (c) additional courses offered by an LES Member Society which have been approved by LESI for these purposes; (d) Workshops and sessions held at the LESI Annual Conference; and (e) Workshops and sessions held at LES Member Society Conferences and Meetings. Additional certifications (e.g., participation certificate) can be considered for more lower level and advanced LESI course completion such as LESI IAM 300, those offered by LESI Member Societies, or those offered at LESI or Member Society Conferences and Meetings.

The Task Force would help initiate the development and institution of a Program for the recruitment, training and active participation of instructors and trainers.

The Task Force would help initiate the restructuring and rebranding of the Educational Committee into a seven-member Administrative Board (i.e., Board of Governors), each member of which will serve for three years and the terms of which are to be phased in and staggered so that incoming LESI Presidents will always be able to nominate at least two members of the Administrative Board during her/his term. The Board would be charged with strategic oversight and management of the further development of the LESI educational programs and curriculum. The Administrative Board would further be charged with establishing and maintaining instructor training and development.

Finally, the Task Force would help initiate the launch of an “Advisory Board” to be established of three non-paid volunteers, external to LES but professionals in the education field to serve as Advisors to the Board of Governors. The purpose of this Advisory Board would be as a resource of professional advice and assistance and NOT oversight.



Discussion

Propositions Concerning Present LESI Course Content

The Task Force consulted Dr. Kenneth Yates of the University of Southern California, Rossier School of Education, as an initial independent third party source to review the content of the existing LESI course material for adherence to current Educational “Best Practices”. Accordingly, Dr. Yates and his team have completed an initial analysis of the LES100, LES200, and LES300 PowerPoint presentations and provided recommendations for enhancing course design and content, as well as course delivery. This analysis and the subsequent recommendations are and have been available for review by Member Societies by e-mailing Kevin Nachtrab at kevin.nachtrab@skynet.be. In addition, Dr. Yates and his team have recommended and created a standardized Course Feedback form and Membership Survey for use in identifying how the education program and the individual courses offered should continue to evolve to keep pace with the needs of LESI membership. The Task Force recommends adopting these recommendations in planned and incremental phases over a three (3) year period: (1) Phase 1 (Year 1) — content adjustment and planning to initiate a consistent starting core curriculum; (2) Phase 2 (Year 2) — move to online content management and tracking; and (3) Phase 3 (Year 3) —implement online content delivery, quality control management, instructor training and management, and member completion tracking as an initial LESI Academy curriculum delivery vehicle. Notably, the online content delivery would not be at the exclusion of physical delivery of content. An additional Phase 4 (Year 4) should be considered where one or more locations of an established LESI Academy can be physically located to supplement on the online delivery of content. A Request for Proposal will be drafted and sent to third party organizations to obtain responses for costs to enhance drafting and delivery of the content/curriculum as further outlined herein.

Issue 1: Curriculum Development

The Task Force has been requested to make recommendations on the structure of a consistent and coherent curriculum for both those persons seeking an Education “Pathway” and those persons seeking “one-off” courses for LES Members to follow.

To make such recommendations, the Task Force first addressed the threshold issue of what the goal of such an Education “Pathway” would be. That is to say: Would the goal be a certificate offered to persons successfully completing such a curriculum to show/verify their competency or something less?

In this regard, the Task Force took notice of the Certified Licensing Professionals, Inc., certification program which administers a certification examination, as well as a more ambitious Arab Certified Intellectual Property Licensing Professional (ACIPLP) program referred to on the LES Arab Countries Website, which not only has a full curriculum but also enrollment requirements and examinations. The Task Force also noted the issuance of certifications of completion by LES Germany for completion of its eight (8) Module course on IP and licensing.

Finally, the Task Force took notice of the approach of LES France which appears to endorse certain existing curriculums offered by traditional Universities and schools.

The Task Force takes note of the necessity for any such certification program of LESI to complement and not compete with established LES and Certified Licensing Professional (CLP) Programs and that, wherever possible, it should help bring value to such Programs.

The Task Force believes that the foregoing Programs demonstrate a real desire from the market for certification programs that can bring value to participants and institutions, such as companies, that employ the participants. This desire, however, is primarily emerging from those countries where no real certification programs are being offered, such as Asia and Eastern Europe. Indeed, LES Member Societies, such as LES USA/Canada, have historically indicated that any such certification program offered in their country may compete with and detract from their domestic courses and programs.

Accordingly, the Task Force recommends: (1) consistently issuing certificates (“Certificates of Completion of the Course ...”) for the completion of individual LES/LESI courses; or (2) to establish a Curriculum, the completion of which would earn an individual “Certificate of Educational Merit” issued by the respective course offering entity. In this respect, by not having a certification exam, the Task Force believes that LESI will be able to fill a niche (providing some sort of professional certification for those who are not in countries where one is available) without competing with certification programs like the CLP.

Further, and as will be discussed at greater length below in the section titled “Curriculum”, it is believed that the curriculum needed to qualify for the “Certificate of Educational Merit” would need to have some value to individuals in order to encourage them to achieve it. In such an event, it could be a useful drive for people to also take courses and attend Educational offerings (such as Conferences, Meetings and courses) taught by LESI and LESI Member Societies.

The educational committee has to develop rules, what type of courses and how many courses lead to a certificate of completion, and what would be necessary for a certificate of educational merit.

Issue 2: Composition of Curriculum

1. Background and General Structure of the Licensing Professional Certificate Program (LPC)

In general, one thing that seems to be important is that LESI provide programs that can be both used for the pathway towards a Certificate, as well as individual courses (self-standing modules). If not, many people, especially more advanced LES members, may not realize the value for them in lieu of the later modules, though there certainly is content and examples that far exceed that in a “basics” course.

In terms of overall structure and course content, it would seem to make sense to take an approach similar to that used by many British Universities, i.e., where there is a core curriculum (base) and an enhanced curriculum (elective system).

Recommendation. The core curriculum could be more rigidly structured, with the enhanced curriculum giving more space to the individual instructors based on their own expertise and experiences – with speakers/instructors focused on the most up-to-date and more pertinent issues. Along with such flexibility could be the advantage of much more student input at this level.

2. Requirements for the LPC

For a real certificate program, it is important that the course content should, at a minimum, cover all the licensing basics, even if they are not seen to be of high relevance for every participant. By this, it should be understood that a common base of knowledge must be transmitted as a requirement to receive a “Licensing Professional Certificate” (“LPC”) from each course and yet prepare student for the eventual taking of the Certified Licensing Professional (“CLP”) exam.

Many curricula consist of a 2/3 core plus 1/3 elective formula. There are often a number of core courses, particularly for highly academic subject areas. LESI, however, has always provided a focus which is more practical and more focused on the actual licensing executives’ needs.

Recommendation. The Practical Orientation Focus should be maintained in the Certificate program, and, therefore, any certification program should provide a combination of courses and seminars developed to address not only the core to prepare students/those attending to eventually take the CLP exam, but also the enhanced part of the curriculum to “follows up” and expand upon the initial core curriculum. The enhanced curriculum/elective portions should still be highly weighted in importance.

A. Basic Structure of the Certificate Program

1. LESI present offerings are already based on a three (3) “core” program. (LES100, LES200 and LES300). From the comments to the Green Paper from the national groups, it appears as though there is a broad consensus for the retention of such a three (3) course core and a 50/50 Core/Elective basis for an LPC to ensure that all “graduates” have a really consistent understanding of what each other does/knows.
2. Consistent remarks have been made that equivalent weight should not be given for all courses. Some of the national organizations have also provided input on this question.

3. Taking this into consideration, the LPC Program should be viewed in accordance with the analyses below:

Example I. (No adjustment) The LPC could be, for example, composed of:

- Six (6) Total Courses (no consideration of length of Core Courses vs Electives)
 - Three (3) Core Courses; and
 - Three (3) Elective Offerings, such as Courses or Seminars

Example II. (Adjusted for Days of Instruction) (2/3 core plus 1/3 formula):

- Minimum Requirement of Six (6) Total Courses and 9 total days of instruction:
 - Three (3) Core Courses Equivalents x 2 day each (**6 days of total instruction required**). Each core course is 2 days in length and each core course can be in two one-day sessions, if desirable).
 - Minimum of Three (3) Elective Offerings Equivalents, such as Courses or Seminars, equal to equivalent to (**3 days of total instruction**). Each elective course is a minimum ½ day, so the Participant decides which course to take when.

Example III. (Credit Hour System)

- One (1) credit for each ½ day
Total credits necessary = 6 days core = 12 Core Credits
= 3 days elective = 6 Elective Credits
Total credits = 18 credits = 9 days of attendance for LPC Program.

Recommendation: Example III would probably be the easiest to institute and takes into consideration a number of the national groups' concerns.

B. Time Period for Completion

Proposition: **In order to get the Licensing Professional Certificate (LPC), they should be taken over a maximum three (3) year period.**

Rationale:

Many certificate programs have time limits on when requirements must be completed, particularly for core courses. In addition, the goal is for Participants in LESI programs to receive a coherent, consistent and timely core curriculum. By placing a time limit for the LPC, the elective curricula will also be accomplished within a brief enough interval that they will relate more directly to the core learning.

Comment:

For Participants who wish to gain an LPC, the requirement will ensure that they push forward with their goals in a timely fashion. In addition, monitoring of eligibility of the Participants for the LPC will be easier for LESI if over a limited period.

Because the courses can be taken on a non LPC basis, i.e., for knowledge or updates only, this time period restriction should not be a hardship on those who only wish to keep up with or refresh learning.

C. Courses/Offerings' Eligibility for LPC

For the LPC to be considered as a true certification, courses and other offerings, and, in particular, core courses, should meet certain criteria, as determined by LESI and whichever body oversees the new LESI LPC Program.

Core Courses:

Core Courses have been developed over a number of years. The ideas for length and core of the courses does not appear to come into much question, just the ideas of how the courses can be best structured and/or presented.

Elective Courses:

For the LPC to be considered as a more legitimate certification, courses and other offerings, and, in particular, elective courses and offerings, should meet certain criteria to establish effective quality control of core content:

1. Important is that **each core or elective offering, such as a course or seminar, should be of significant length – not just a meeting session of 30-45 minutes worth a point, or a part of a point,** but a coherent presentation/workshop/seminar or other way of conveying the important information.
2. **Elective offerings should be as in-depth** as possible. An elective that is only a short “show and tell” period should not qualify as a certificate course, though it might be highly informative and punctual for issues of current interest.
3. **Quality should be controlled or measured** at the first introduction and/or approval stage of an elective offering, so that certificate eligible offerings overcome the criticism of amounting to just short meeting attendance or non-connectivity with the overall LPC curriculum.

Recommendation: In this regard, LPC electives and seminar-eligible courses should be **different from CLE offerings** where one can often walk into a meeting and stay for 45 minutes and get a credit for it.

D. Completion of the LPC

Evaluation Component

For the LPC, both core and elective offerings **should have an Evaluation Component** with criteria for passing/non-passing an offering. Repeats of individual offering evaluations should be allowed, but, again, within the three (3) year time period. An option may be provided for students to audit or participate without certification being requested, possibly earning a “participation certificate” for that particular course.

Issue 3: Delivery of Curriculum

In terms of publicizing the LESI Educational Programs, the Task Force initially recommends enhanced use of the presently-available Education Committee pages on the LESI website as the primary source of information which would be linked to a prominent space on the LESI homepage publicizing the courses. In addition, enhance email or social media communication to further facilitate communication of the courses and curriculum. This could be economical, both financially and human resource-wise. To some degree this happens now but seems a bit inconsistent in its approach (the web pages have not been used this year). An LESI director or staff should provide Member Societies with course offerings, locations, and associated details. The LESI Education Committee Web Pages could also be used to announce Educational Program updates and changes to members, list scheduled education events, provide individual LESI course descriptions, allowing for course registration and even payment for LESI Educational Programs. Through the use of special log-ins, the Website also should be used to house Instructor PowerPoint Presentations and course-related materials for trainers as a central repository where current versions are kept up-to-date and stored.

The LESI Educational Program offering would be to Member Societies (or regional to several Member Societies), but the announcement of the courses (divulcation) and their participation can be to the general public, not only to members (albeit perhaps at different course fee levels).

In terms of delivery, the Task Force took note of the long-term desire to eventually move to provide more content “to the desktop” so to speak – in other words by Webinar, CD Roms, thumb drives, mobile applications and the like. The Task Force with the assistance of LESI leadership from other committees, namely Communications, Legal, Knowledge Management and others, along with LESI executive and other personnel (“Other LESI Leadership Groups”) will help LESI move to a Learning Management System (LMS), such as those that are presently used at many universities, that can allow individuals to pay for and immediately access LESI courses (via online or download to a CD Rom, mobile applications), network /collaborate with other members on course work, track completion of courses, take self-assessments, and review their progress—online, at will, anytime. Accordingly, the Task Force urges LESI to invest in an

appropriate system with the realization that this would require current courses to be reformatted for online delivery, which would likely require a financial investment that may delay its adoption. To this end, the Task Force will investigate such systems and provide suggested budget recommendations for consideration and adoption by the LESI Board.

In view of the foregoing, and until LESI decides the precise Educational Platform that it desires to use in this effort, the Task Force and Other LESI Leadership Groups will concentrate its efforts on ways of improving the traditional method of delivering its content in an “in-person” setting, namely by enhancing the current educational core content and providing information/access to course information internationally through the current LESI website.

To this end, the Task Force recognizes that, even though numerous individuals have been trained to teach the various courses, volunteers (especially good volunteers) remain difficult to find and retain. The LESI Education Committee has pointed out that there is a pool of trainers internationally that travel and teach, but that it is not as large as they would like due, in their opinion, more to local Member Societies not being willing to train and deliver trainers as needed and the associated financial resources being readily available to allow trainers to travel to course delivery locations/sites. Accordingly, the Task Force and Other LESI Leadership Groups will make efforts to increase volunteer numbers and retention by better interaction with local Member Societies concerning trainer training and recruitment and recommends that the LESI Board plan an enhanced educational course delivery budget for trainers.

Issue 4: Structure of the LESI Academy Within the LES Family

The LESI Education Committee acknowledges that the inauguration of an LESI Academy (the “Academy”) should enhance, and not undermine or diminish, the role and viability of Member Societies. A structure needs to be identified that will allow the Academy to pursue a long term and consistent strategy, and to produce high quality educational materials, with a degree of independence from the day to day operations of both LESI and the Member Societies. Nevertheless, the role and responsibilities of the Academy should be clearly delineated, and the Member Societies should be free to prepare and deliver educational materials appropriate to the individual countries/territories and circumstances. Any control exercised by the Academy over the educational activities of Member Societies should be limited to quality control over the content and delivery of international materials generated or distributed by the Academy.

The following matters have been considered by the Committee, in relation to this overall issue:

Overall Structure

The Committee believes that the Academy, in whatever its legal form, should fall ultimately under the administration of the LESI Board, exercised through a Board of Governors of the Academy. Member Societies will have the opportunity to influence the governance of the

Academy through the established governance structures of LESI. No Member Society, however, will have any ongoing right of review or veto over the activities of the Academy.

Development of Content

The Academy will be responsible for developing the core educational content of LESI in an international context, and in particular will be responsible for the development, internationalization, updating, and delivery of new versions of the IAM 100, 200 and 300 series courses. Member Societies will be requested, through surveys and questionnaires, to contribute to the Academy's knowledge base (for example, Academy content would include an international survey of the IP/antitrust interface, but would not seek to teach the laws of individual countries in detail).

Member Societies may be requested to assist with translation of Academy content, but given that the purpose of an LESI Certificate of Educational Merit having an international focus is to certify merit in international licensing, it is to be expected that completion of at least some content in English would be required for the issuance of a Certificate. This, however, may not be needed or desired for certificates of participation or perhaps more advanced certificates of completion.

Delivery

The Academy will accredit presenters of Academy content, but will seek the assistance of Member Societies in identifying and communicating with suitable presenters. Presenters would contract with the Academy regarding the delivery of content.

Any creation of content, or on-line delivery, carried out by contractors would be done pursuant to contracts with the Academy.

Certification

The Academy will determine criteria for the issuance of a Certificate of Educational Merit. These criteria may include the completion of on-line courses, face to face presentations of Academy content, attendance at LESI conference Workshops, and (possibly) country-specific courses. For example, the Academy may decide that the issuance of a Certificate of Educational Merit requires the applicant to have completed a country-specific course in their home country, as well as completing Academy content. The Academy would liaise with Member Societies to ensure that such courses are in fact available.

The decision as to whether a country-specific course delivered by Member Societies attracts credits, may involve a request from the Academy that the course be made consistent with the guidelines as to content and delivery, adopted by the Academy for its own content.

Chapter Content

The Academy would not inhibit Member Societies from preparing and presenting their own courses.

Copyright and Branding

The Academy would own any trademark rights in its name and get-up (apart from “LESI”), and would own the copyright in Academy content, and any rights in the look and feel of on-line or other presentation materials. This should facilitate the Academy’s ability to distribute, license, and modify content as desired with fewer legal ramifications.

Where Academy content is based on content already developed by Member Societies, appropriate arrangements would need to be entered into to delineate between Member Societies-owned content and Academy-owned content. Joint ownership of common content might become necessary, with the Academy having the right to create and deliver international courses using common content, and the Member Societies having the right to continue to deliver the content in its Member Societies-specific courses.