

auDA PUBLISHED POLICY

Policy Title: GOVERNANCE ARRANGEMENTS FOR THE EDU.AU 2LD

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1. BACKGROUND

- 1.1 This document sets out the governance arrangements for the edu.au second level domain (2LD) as a self-managing, closed 2LD.
- 1.2 On 6 March 2003, auDA entered into a 2LD Sub-Sponsorship Agreement for edu.au with the Australian Information and Communications Technology In Education Committee (AICTEC) (through the Commonwealth Department of Education), under which auDA delegated policy and management authority for the edu.au 2LD to AICTEC. AICTEC in turn sub-delegated its responsibilities to the edu.au Domain Administration Committee (eDAC).
- 1.3 AICTEC ceased to operate in December 2013. Pursuant to the machinery of government provisions, AICTEC's role was reassigned to the Commonwealth Department of Education for the remaining duration of the Sub-Sponsorship Agreement through to 30 June 2014.
- 1.4 On 1 July 2014, auDA published Interim Governance Arrangements for the edu.au 2LD (2014-04), pending a public review of edu.au governance arrangements and eligibility and allocation policies to be conducted by eDAC.
- 1.5 At its meeting in April 2015, the auDA Board approved the recommendations contained in eDAC's final review report, and affirmed the governance arrangements set out in this document.

2. ROLE, MEMBERSHIP AND OPERATIONS OF eDAC

- 2.1 auDA has delegated policy and management responsibility for the edu.au 2LD to eDAC. The full role of eDAC is set out in the eDAC Terms of Reference at Schedule A.
- 2.2 eDAC membership is to comprise:
 - a) one representative from the Commonwealth Government;
 - b) one representative from the higher education sector;
 - c) four representatives from the schools sector, specifically:
 - i) two Government schools representatives;
 - ii) one Catholic school representative;
 - iii) one independent schools representative; and
 - d) two representatives from the Vocational Education and Training sector.
- 2.3 For each member appointed under paragraph 2.2, there shall be an alternate member appointed, with the appointment process being the same as that which applies to members under section 2. If a member is unable to attend an eDAC meeting, the alternate member may attend in their place.

- 2.4 eDAC will transition existing members (who do not have fixed terms) to a fixed term model with each new representative appointed for a period of four years, with half of the membership terms retiring every two years.
- 2.5 Any eDAC member can resign by notifying the Chair in writing. Where an eDAC member resigns, the replacement member shall serve the remainder of the term of that eDAC member. If that remaining term is nine months or less, then that residual shall be added to the normal term of a new member.
- 2.6 When a vacancy arises on eDAC either through the resignation of a member or the retirement of a member at expiry of their term, the relevant peak body (or its successor) from the following table will be invited by eDAC to provide a single nominee:

Sector	Relevant Peak Body
Commonwealth Government	To be determined ¹
Australian higher education sector	Universities Australia
Schools sector	
Government schools	Schools Policy Group (SPG) of the Standing Council on School Education and Early Childhood (SCSEEC)
Catholic schools	National Catholic Education Commission
Independent schools	Independent Schools Council of Australia
Vocational Education and Training Sector	Industry and Skills Council Advisory Committee (which reports to the COAG Industry and Skills Council (CISC))

- 2.7 A retiring eDAC member may be nominated/renominated by a relevant peak body.
- 2.8 If the relevant peak body fails to provide a nominee within a reasonable timeframe (or the identified peak body for that sector does not exist at that point in time or advises is not able to provide a nominee), eDAC may use its discretion to determine appropriate alternative measures to obtain a suitable nomination from the relevant sector.
- 2.9 When a nominee is provided to eDAC in accordance with this policy, eDAC will forward the details of the nominee to auDA for appointment as a new eDAC member.
- 2.10 eDAC shall elect a Chair and may elect a deputy Chair from its members, with the period of these positions being the remainder of the member's term. Resignation of these positions must be done by notifying eDAC in writing. In the event that eDAC does not have a Chair, it shall elect a new Chair as soon as reasonably practicable.
- 2.11 The existence of a vacancy on eDAC does not invalidate any decisions made by eDAC whilst that vacancy exists.
- 2.12 eDAC is responsible for determining its own meeting procedures.

3. POLICY FRAMEWORK FOR EDU.AU

- 3.1 eDAC can make policies for the edu.au domain. Such policies must be ratified by auDA before they have any effect.

¹ eDAC is consulting with the Commonwealth Government to identify the appropriate agency to provide a representative.

- 3.2 The edu.au domain is governed by:
- a) edu.au Published Policies that are published on the edu.au registrar's website (www.domainnameedu.au/Policyandfurtherinfo.aspx); and
 - b) auDA's Published Policies that specifically apply to the edu.au domain and that are published on the auDA website (www.auda.org.au/policies/).
- 3.3 If auDA proposes to introduce Published Policies for the .au domain, which are expressly stated to apply to the edu.au domain, then auDA will consult with eDAC when developing those policies.
- 3.4 To the extent of any inconsistencies between edu.au Published Policies and auDA's Published Policies, (where they are expressly stated to apply to the edu.au domain), then auDA's Published Policies will prevail.

4. REGISTRY AND REGISTRAR SERVICES FOR EDU.AU

- 4.1 Registry services for edu.au are provided by the 2LD Registry Operator licensed by auDA, under the terms and conditions of the Registry Licence Agreement.
- 4.2 Registrar services for edu.au are provided by Education Services Australia Ltd, under the terms and conditions of its Registrar Agreement with auDA. These services shall comply with:
- a) edu.au Published Policies; and
 - b) auDA's Published Policies that specifically apply to the edu.au domain.
- 4.3 The registrar shall report to eDAC on the performance of its registrar functions as required by eDAC.
- 4.4 The registrar shall collect domain name licence fees for the edu.au domain and use these fees to:
- a) pay the operating costs of the registrar;
 - b) arrange for contractual payments for secretariat services to eDAC;
 - c) maintain an appropriate financial reserve to sustain the operation of the edu.au domain; and
 - d) implement financial decisions as directed by eDAC;
- in accordance with an annual budget to be approved by eDAC. Variations to the budget and expenditure from the financial reserve must be approved by eDAC.

5. REVIEW OF EDU.AU GOVERNANCE ARRANGEMENTS AND ELIGIBILITY AND ALLOCATION POLICIES

- 5.1 eDAC will undertake periodic public reviews of the governance arrangements for edu.au and the edu.au domain name eligibility and allocation policies, to ensure that they continue to reflect stakeholder interests. Upon completion of a public review, eDAC will provide the auDA Board with recommendations on any changes that need to be made to the edu.au governance arrangements and/or eligibility and allocation policies.

EDU.AU DOMAIN ADMINISTRATION COMMITTEE (eDAC)

TERMS OF REFERENCE

Under delegation from auDA, the edu.au Domain Administration Committee (eDAC) will:

1. Through consultation with key stakeholders, establish and maintain policies and procedures to apply to the management and administration of the edu.au domain in accordance with the overarching principles and policies determined by auDA.
2. Maintain an overarching policy framework for the governance of domain names in the edu.au domain incorporating the establishment of eligibility criteria for registration in the edu.au domain.
3. Provide a point of coordination for the management of licensing and reporting arrangements between auDA, the nominated edu.au domain Registrar, and the 2LD Registry Operator, including monitoring, reporting and advising on service, cost and performance levels.
4. Ensure that policies and procedures relating to the edu.au domain are effectively communicated to education and training stakeholders including potential entrants to the domain.
5. Administer a decision review process incorporating complaint and dispute resolution policies and mechanisms allowing for appeals to be handled by eDAC without the need for recourse to the legal system or to auDA in the first instance.
6. Set the domain name licence fee in consultation with the edu.au Registrar and manage the financial performance of the edu.au domain to ensure that it operates on a financially self-sustaining basis whilst keeping fees for domain names at a minimum. The registration fee must be set at a level that will enable the Registrar to maintain an adequate financial reserve, which must be used to sustain the operation of the edu.au domain.
7. Provide advice to auDA on:
 - a) any matters impacting on the stability, performance or financial self-sustainability of the edu.au domain; and
 - b) whether the domain is continuing to operate in the public interest and for the benefit of Australian education and training as a whole.
8. Provide reports to auDA, as required, on the operational and financial performance of the edu.au domain.
9. Monitor changes being considered for the .au domain that may impact on the edu.au domain or on the edu.au domain name policy framework.