



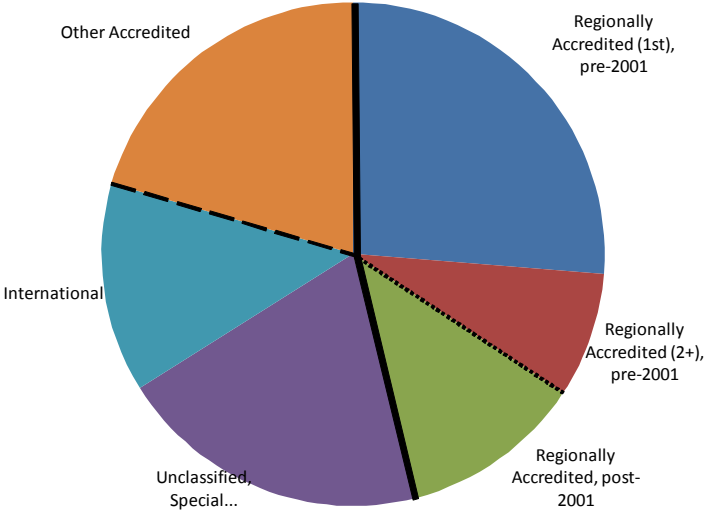
Policy Proposals for the .edu Domain

EDUCAUSE assumed administrative responsibility as the Registrar for the .edu generic top-level domain (gTLD) in 2001, under a Cooperative Agreement from the US Department of Commerce. In the fall of 2011, the agreement was extended through 2016. Until 2001, Network Solutions administered the .edu top-level domain.

Currently the only entities eligible for .edu domains are

- (a) Regionally accredited US colleges and universities (traditional degree-granting colleges and universities, nonprofit or for-profit),
- (b) US state systems of higher education, and
- (c) Nationally-accredited US postsecondary institutions (which are largely vocational schools).

This is how .edu assignments currently break down:



	Pre-2001	Post-2001	Total
Regionally Accredited (first domain)	1,903	846	2,749
Regionally Accredited (additional)	583		583
Other Accredited	311	1,174	1,485
State Systems (first domain)	46	52	98
State Systems (additional)	27		27
International	975		975
Unclassified, special cases	1,141	194	1,335
	4,986	2,266	7,252

"Regionally Accredited" institutions—to the right of the heavy lines in the graph—are those we typically think of as "colleges and universities". The "Other Accredited" category acquired formal eligibility at the direction of the Department of Commerce. It comprises organizations accredited by national and state accrediting agencies, mostly postsecondary vocational schools. It is important to note that only about a third of existing .edu domains have been assigned on EDUCAUSE's watch. The remaining domains were assigned by Network Solutions under different rules and procedures.

The "Unclassified" category in the table primarily comprises a broad array of very diverse, unaccredited organizations that somehow obtained .edu domains before EDUCAUSE assumed responsibility for the top-level domain—for example, australia.edu, whose sole functions are to offer free .edu email addresses to anyone and to link to various public documents about student travel to Australia. (The category also includes a few domains assigned to certain higher-education organizations).

Since 2001, each eligible entity has been entitled to only one .edu domain. Before 2001, when new rules took effect, an entity could have more than one .edu domain, although this appears not to have been applied consistently. Also, various other entities were assigned .edu domains, including some private prep schools, some colleges and universities abroad, some higher-education associations (such as EDUCAUSE and the National Center for Higher Education), and various other organizations of varying relevance to education. Regardless of whether entities or domains would be eligible under the current rules, domains that were assigned before 2001 are "grandfathered" under our agreement with Commerce. This is subject to the important condition (which also applies to current domains) that they not be transferred.

Unfortunately, there are many instances where "grandfathered" (or even current) domains are being used for purposes that have nothing to do with education and may be objectionable, yet EDUCAUSE is not empowered to act on the basis of a domain's content—nor would we want to do so, given the difficulty of defining "appropriate" versus "objectionable" use.

We recently investigated and acted on a few cases where "grandfathered" domains appear to have been transferred to ineligible entities, in violation of the rules (see the report "Actions Involving Impermissible .edu Domain Transfers, Summer and Fall 2011"). Separately, we have dealt with competing claims to existing .edu domains (especially, for some reason, domains in Latin America), in one instance with a college student who forged an institution's president's letterhead and attempted to secure a new .edu domain in the institution's name, and in another the US Education Department failed to accurately document accrediting agencies in Puerto Rico. In short, there is great complexity at the borders of .edu policy enforcement, especially among domains assigned before 2001.

With the renewal of the Cooperative Agreement, it is time to bring various policy changes to the Policy Board. Those that the Policy Board endorses then go to Commerce for approval. Here are the nine policy proposals we would like the Policy Board to consider, of which EDUCAUSE endorses only five. These are the proposals we endorse:

1. *Stricter requirements on "grandfathered" domains.* This includes the ability to disable and release dormant domains or those associated with inappropriate or non-educational activity, tighter verification and identification requirements for contacts, and perhaps restrictions on domain-name changes. We propose that EDUCAUSE be empowered to disable and release grandfathered domains, with Policy Board approval in each case, if their primary use is not for education.

The Policy Board recommended this suggestion for public discussion.

2. *Flexibility to deal with inequities stemming from patterns of "grandfathered" domains.* For example, there are several competing prep schools in Honolulu, all but one with grandfathered .edu domains. The non-.edu one has argued repeatedly that this places it at a disadvantage. For another example closer to home, EDUCAUSE, Internet2, ACE, and the National Center for Higher Education have .edu domains, but National LambdaRail is not eligible for the same privilege. Similar issues arise around museums: the Smithsonian Institution and the Art Institute of Chicago have .edu domains (to be fair,

AIC also runs an accredited school), but other museums are not eligible. For yet another example, in one state the university system office has somehow accumulated six .edu domains, but the community-college system office has been restricted to one. We propose that EDUCAUSE be empowered to make minimal exceptions to resolve inequitable situations like these, and that each such exception require approval by the Policy Board.

The Policy Board considered this suggestion and elected not to recommend it for public discussion at this time.

3. *Relaxation of the one-per-entity rule.* Many institutions made poor choices when they chose their original domain, often valuing shortness over clarity (or *vice versa*). The only option currently available is to change domains over a six-month transition period. Domain-name changes can be daunting if not impossible, especially if the institution's original domain is encoded into bibliographic references, many sub-domains have been widely published or cited, or the institution has given out hundreds of thousands of student, faculty, staff, and alumni email addresses in the original domain.

Although the current domain-change process and the one-per rule cause hardship, at least they are bright-line rules. It is hard to define what a manageable multi-domain policy would look like. For example, would the multiple domains need to be institution-wide as, for example, Virginia Tech's two domains (virginiatech.edu and vt.edu) are, or could they be requested by subunits, as has been the case for the University of Chicago's three domains (uchicago.edu, uchospitals.edu, and chicagobooth.edu, that last being its business school)? If subunits can request domains, must that be approved by the institution's central leadership?

We propose (a) that eligibility for second domains be confined to regionally-accredited institutions (since this is where key historical inequities exist), (b) that newly assigned second domains be allowed only for institution-wide use (we do not endorse subunit .edu domains—see §8 below), and (c) that institutions that currently have more than one domain not be eligible for additional ones. Initial implementation of this policy would require a one-time "sunrise" period during which EDUCAUSE would gather requests from institutions that currently have only one .edu domain and resolve conflicts. EDUCAUSE staff would consult the Policy Board on specific second-domain assignments only in cases where conflicting requests cannot be reasonably resolved.

The Policy Board recommended this suggestion for public discussion, with the following rewrite of requirement (a): that eligibility for second domains will apply to all institutions currently eligible for .edu domains.

4. *Organizations of .edu-eligible institutions.* These might include multi-state organizations of .edu-eligible institutions, non-US entities that represent .edu-eligible US institutions, and other categories reflecting the increasingly collaborative, complicated, cross-border nature of higher education.

We have received a formal proposal that associations of .edu-eligible institutions be eligible for .edu domains, a right currently restricted to intra-state higher-education system offices such as the University of California (ucop.edu). We propose that eligibility for multi-institutional consortia be extended slightly to include (a) non-profit membership-based entities (b) with at least 20 institutional members (c) at least 90% of which are currently eligible for and have .edu domains. The third criterion is restrictive. Even so, we would seek Policy Board approval before granting eligibility to an entity *any* of whose members do not hold .edu domains under current eligibility rules.

The Policy Board recommended this suggestion for public discussion, with the following rewrite of requirement (c): at least 75% of which are currently eligible for .edu domains.

5. *Less restrictive access rules for the .edu zone file.* Zone file data (essentially the list of valid .edu domains) are relatively non-sensitive, and can enable third-part service providers to enhance security and, for example, to block spam and other intrusions more effectively. The current Commerce agreement prohibits distribution of the .edu zone file. Instead, we propose that EDUCAUSE be permitted to enable access to the .edu zone file in cases where this would clearly contribute to better and more secure network operations, reporting approvals of such access to Commerce with the semi-annual reports rather than seeking case-by-case prior approval.

The Policy Board recommended this suggestion for public discussion.

The Cooperative Agreement requires that the Policy Board consider not only proposals that EDUCAUSE endorses, such as those above, but also other proposals submitted to us. There are currently four proposals we do not endorse:

6. *501(c)(3) organizations.* There have been proposals, including a recent one, to make all 501(c)(3) organizations eligible for .edu domains, arguing, for example, that "Charitable and nonprofit schools need access to .edu extensions in order to separate themselves from other conflicting domain names." We do not endorse this proposal. It would grossly dilute the meaning of the .edu gTLD unless it were accompanied by a requirement that such organizations be educational in some respect, and we see no practical way to define or manage such a requirement. The requirement that .edu applicants be regionally or nationally accredited provides the right path for nonprofits to demonstrate that they are educational institutions.

The Policy Board considered this suggestion and elected not to recommend it for public discussion at this time.

7. *Non-US Entities.* There have been similar proposals, including a recent one, to make non-US institutions (or perhaps just those with regional US accreditation) eligible for .edu domains. We do not endorse this proposal, in part because it raises jurisdictional issues. In any case, we oppose extending eligibility to non-US entities *without* regional US accreditation, since it would be impossible to apply eligibility criteria consistently.

The Policy Board considered this suggestion and elected not to recommend it for public discussion at this time.

8. *Additional domains for subunits.* In addition to requests for alternative institution-wide domains, there have been proposals that subunits within accredited institutions be eligible for additional .edu domains. Although we see some merit in this proposal, and there are pre-2001 instances where subunits obtained domains, we believe that ability of current .edu domain administrations to assign subdomains of the form "subunit.institution.edu" provides a perfectly reasonable alternative. Enabling subunit .edu domains would vastly increase administrative overhead without yielding much value, in part because it would place EDUCAUSE in the middle of intra-campus branding disputes and in part because it would greatly increase the number of .edu domains.

The Policy Board considered this suggestion and elected not to recommend it for public discussion at this time.

9. *Degree programs not associated with colleges or universities.* The case in point has been accredited nursing programs operated by hospitals not connected to a university, but there are similar issues elsewhere. We believe that it will be very difficult to constrain eligibility of this type sufficiently to avoid immense management costs and confusion, and so we oppose this proposal. If this proposal advances nevertheless, we would propose stringent rules, for example requiring that to be eligible for .edu domains such programs (a) involve at least Associate-level degrees comparable to those granted by regionally-accredited colleges and universities, (b) be certified by specific professional accrediting bodies recognized by cognizant federal agencies, (c) not be associated with a .edu-eligible institution, and (d) perhaps meet other criteria.

The Policy Board considered this suggestion and elected not to recommend it for public discussion at this time.

We often hear from traditional colleges and universities that they would prefer eliminating nationally-accredited postsecondary vocational schools from .edu. Although this would greatly simplify what .edu means, there is little point to suggesting the change. The inclusion of vocational schools was mandated by Commerce, and there is no practical way to reverse that policy, much as there is no practical way to eliminate properly used grandfathered domains.

Finally, under the current system EDUCAUSE Member Services handles routine interactions with .edu domain holders and applicants. Particularly with the expansion of .edu to include nationally-accredited institutions, dealing with routine registration matters has occasionally become burdensome—for example, many such institutions expect EDUCAUSE to be their Internet consultants, or even to host their websites. Therefore, we are considering outsourcing some of .edu administrative work, presumably to a firm that does Internet registration for other domains, while retaining policy oversight and enforcement.

gj 1/23/12c